

Aug 13

AN EXACT

Abridgment

~~Containing~~ ALL ~~the~~ STATUTES

In FORCE and USE,

From the beginning of

MAGNA CHARTA,

Uprill 1641.

By Edm. Wingate of Gray's-Inn, Esq;

And from thence continued down under their proper
Titles Alphabetically to this present Year, 1684.

L O N D O N,

Printed by the Assigns of
J. Bill, H. Hills, and
T. Newcomb, His Maje-
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Chancery-lane, and Flower-de-Luce, in Fleet-street. 1684.

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AN EXACT
ABRIDGMENT
OF THE
STATUTES
IN FORCE
IN GREAT BRITAIN
AND IRELAND
IN THE YEAR
OF OUR LORD
ONE THOUSAND
SEVEN HUNDRED
AND FORTY
FOUR
BY
JOHN HALLAM
OF THE MIDDLE TEMPLE
ESQ.
IN TWO VOLUMES
VOL. I.
LONDON
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1844

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AN EXACT
ABRIDGMENT
OF ALL
STATUTES

In Force and Use until the 27th of
May in the 31th Year of King
Charles II. An. Dom. 1679.

Ability, and Non-ability.

I. Stat.

A

Rtuli Cleri, cap. 13. Anno 9 E. 2. The examination of a person presented to a Benefice belongeth to the Ecclesiastical Judge.

II. Stat. 25 E. 3. Stat. 2. *De natis ultra mare.*

The Kings Children are inheritable in *England*, wheresoever born.

III. Subjects Children (born beyond Sea) are also inheritable; so that their Parents at the time of their birth were within the Kings Allegiance, and that the Mother went beyond Sea with her Husbands consent.

IV. If Bastardy be alledged against any born beyond Sea, the Certificate shall be made by the Bishop of the Place where the Land demanded lieth.

V. Stat. 42 E. 3. 10. Children born beyond Sea in the Kings Dominions, shall be inheritable in *England*.

VI. Stat. 31 H. 8. 6. Religious persons professed in Corporations seized by the King, shall be enabled to inherit, purchase, sue, and to be sued, and also to have and enjoy any matter or thing which shall accrue unto them since that their deraignment, but shall not sue for any former right descended upon them.

VII. Religious persons being Priests, or that have vowed Religion at Twenty one years of age, shall not marry.

VIII. Stat. 33 H. 8. 29. Religious persons professed in Corporations translated from one kind to another, shall be enabled to inherit, purchase, sue, and be sued, &c. as well as in those seized by the King.

IX. Stat. 5, 6 E. 6. 13. Religious persons shall be adjudged inheritable to their Ancestors onely from the time of their deraignment, but not by reason of any former right accrued before such deraignment.

X. Stat. 16, 17 Car. 17. An Act for disabling all persons in holy Orders to exercise any Temporal Jurisdiction or Authority. Repealed 13 Car. 2. cap. 2.

Accounts.

I. Stat. Marlebridge, cap. 23. 52 H. 3. Bailiffs of Lords who withdraw themselves from accounting, and have not whereof to be distrained, shall be attached by the Sheriff, and made to account.

II. Stat. West. 2. cap. 11. 13 E. 1. Servants, Bailiffs, or other Accountants that are found in arrearages by Auditors assigned by their Masters, upon the testimony of the same Auditors, shall be committed to the next Gaol, and there remain in Iron under safe custody at their own costs, until they shall have satisfied their Masters.

III. Here, if the Accountant find himself aggrieved by the Auditors, he may appeal to the Barons of the Exchequer, and then the Sheriff shall give notice to his Master to attend the Barons at a certain day with the Account, where the Barons, or Auditors by them assigned, shall rehearse the Account, and do justice therein: But if then also the Accountant shall be found in arrear, he shall be committed to the Fleet.

IV. If he lie, or will not account, a *Distringas* shall issue out against him, to cause him to appear before the Justices to account; and upon appearance, Auditors shall be assigned him; by whom if he be found in arrear, and not able to pay, he shall be committed to the Gaol, as aforesaid. But if he lie, and the Sheriff return thereupon *Non est inventus*, after *Exigent*, he shall be outlawed, and then being taken, he shall not be repleviable without the Masters consent, in pain that the Sheriff, Gaoler, or, &c. who doth so bail him (being thereupon convict) shall answer the Master his damages; and if an inferiour Officer, who so doeth, be not responsible, *Respondereat Superior*.

* V. Stat. 6 H. 4. 3. Immediately after the Sheriffs, Escheators, Aulnegers, Customs, Controllers, and other the Kings Officers, shall have accounted in the Exchequer; Commissions shall be sent down to enquire of their Accounts: and if fraud shall be found therein, they shall incur the penalty of treble damages to the King, and shall suffer imprisonment, not to be enlarged until they have made Fine at the discretion of the Judges.

VI. Stat. 1 R. 3. 14. Accountants for Dismes (granted by the Clergy of the Provinces of Canterbury or York) are not chargeable to answer other mens suits in the Exchequer, (by reason of their appearance there to account) save onely for such things as concern their Account: howbeit they may be sued in any other Court, notwithstanding such priviledge of being Accountants.

VII. Stat.

VII. Stat. 13 Car. 2. cap. 3. An Act for the declaring, vesting and settling of all such Moneys, Goods, and other things in his Majesty, which were received, levied, or collected in the late Times, and are remaining in the hands or possession of any Treasurers, Receivers, Collectors, or others not pardoned by the Act of Oblivion. Provided that this Act shall not extend to call any person to account after the 24th of June 1662. See the Act at large.

VIII. Stat. 13. Car. 2. 13. An Act for vesting the arrears of the Excise and new Impost in his Majesty. No person shall be molested for any of the Duties hereby vested in his Majesty, unless prosecuted before the 25th of December 1662.

IX. Stat. 13 and 14 Car. 2. cap. 14. An Act directing the prosecution of such as are accountable for prize Goods. See the Statute at large.

X. Stat. 13 and 14 Car. 2. cap. 16. An Act for the more speedy and effectual bringing those persons to account, whose Accounts are excepted in the Act of Oblivion. See the Act at large.

XI. Stat. 16 and 17 Car. 2. cap. 6. An Act for repealing part of 13 and 14 Car. 2. cap. 14. See the Act at large.

XII. Stat. 19 Car. 2. cap. 9. An Act for taking the account of several sums of Money therein mentioned. See the Act at large.

XIII. Stat. 22 and 23 Car. 2. cap. 21. An Act for taking the accounts of 60000 l. and other Moneys given to loyal and indigent Officers. See the Stat.

Accusations.

I. Magna Charta 29. 9 H. 3. No free-man shall be taken, imprisoned, disseised, outlawed, exiled, or otherways destroyed or condemned, without trial by his Peers or the Law: Justice or Right shall not be sold, denied, or deserted to any.

II. Stat. 5 E. 3. 9. None shall be attached upon any accusation, nor fore-judged of life or limb, nor his Lands or Tenements, Goods or Chattels seised into the Kings hands, against the form of the great Charter, and the Law of the Land.

III. Stat. 25 E. 3. 4. Stat. 5. None shall be apprehended upon Petition or Suggestion made to the King or his Council, unless by Indictment or Presentment of lawful men, or by Process at the Common Law.

IV. None shall be outed of his Franchises or Free-hold, but by way of Law: and if any thing be done against the same, it shall be redressed, and holden for none.

V. Stat. 28 E. 3. 3. None shall be put from his Land or Tenement, imprisoned, disinherited, or put to death, without being brought in to answer by due process of Law.

* VI. Stat. 37 E. 3. 18. Promoters of Suggestions to the King shall find surety before the Chancellor, Treasurer, and the Kings Great Council, to pursue their Suggestions, and to incur the pain which

Actions popular.

which the accused should suffer, in case the Suggestion hold not : And then process shall issue out against the accused, without being taken or imprisoned, against the form of the great Charter.

* VII. Stat. 38 E. 3. 9. If the promoter of the Suggestion cannot make it good, he shall be imprisoned, until he satisfy the party grieved his damages, and shall also make fine to the King.

VIII. The clause of the 37 E. 3. 18. for incurring the like pain, shall be taken away.

IX. Stat. 42 E. 3. 3. None shall be put to answer an accusation to the King without presentment, or some matter of Record; and what is done otherwise shall be void, and holden for error.

X. Stat. 17 R. 2. 6. Upon an untrue Suggestion made against any in the Chancery, the Chancellor may award damages.

XI. Stat. 15 H. 6. 4. None shall sue forth a *Subpœna*, until he find surety to satisfy the Defendant his damages and costs, in case he do not verify his Bill.

Actions popular.

✠ I. Stat. 4. H. 7. cap. 28. Recovery in an Action popular by Covin shall be no bar in an Action sued for the same thing *bona fide*.

II. Here the Defendant attainted of Collusion shall suffer two years imprisonment, to be prosecuted within one year.

III. No release of a common person shall in this case discharge an Action popular.

IV. Yet no Collusion is in this case averrable, where the point of the same Action or the Collusion it self hath been tried by Verdict.

✠ V. Stat. 31 El. 5. Informers heretofore restrained by order of any Court, shall not pursue Actions popular.

V. In popular Actions the offence shall be laid to be done in the County where indeed it was done : otherwise, if the Defendant traverse and disprove that point, the Plaintiff shall be barred.

VII. This Act doth not restrain Officers which have lawfully used to exhibit Informations, nor Actions brought for Champerty, buying of Titles, Extortion, offences against the Statute of 1 El. 11. (concerning the right landing of Merchandise, and custom of sweet Wines) concealing of customs, &c. corrupt usury, forestalling, regrating or ingrossing, when the penalty shall amount to 20 l. or above : For in all these cases the offence may be laid in any County.

* VIII. Popular Actions, where the King onely hath the forfeiture, shall be commenced within two years ; where he hath onely a part, and the Informer the rest, within one year : but this is to be understood, where a shorter time is not limited by any Statute.

* IX. All Suits for using unlawful Games, or any Art or Mystery without being brought up in it, and for not having Bows and Arrows according to the Statute, shall be prosecuted at the Assises or Sessions.

Addition, Adjournment, &c.

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sions of the County, or at the Leer, within which the offence was committed, and not elsewhere.

* X. Stat. 21 Jac. 4. Actions popular, which may be presented before Justices of Assize, *Nisi prius*, G. D. Oyer and Terminer, or of P. shall be prosecuted only in the Counties where the offences were committed; except for Recusancy, Maintenance, Champerty, buying of Titles, concealing of Customs, &c. or transporting of Gold, Silver, Munition, Wooll, Wooll-fells, or Leather.

XI. Upon default of proving that the offence was committed in the same County, the Defendant shall be found Not-guilty.

XII. The Informer shall make oath that the offence was committed in the same County where the Action is laid, and within one year before the Suit commenced.

* XIII. The Defendant in a popular Action may plead the general Issue, and yet give special matter in evidence.

Addition.

I. Stat. 1 H. 5. 5. In Original Writs, where *Exigent* shall be awarded, Additions of the Defendants Condition and Dwelling shall be inserted.

II. Outlawries otherwise prosecuted, shall be void.

III. Surplusage of Addition shall not prejudice, albeit the Writ do therein vary from the Records and Deeds.

IV. The Clerks of the Chancery shall not omit such Additions, in pain to be Fined at the discretion of the Chancellor.

Adjournment.

I. Stat. 2 E. 3. 11. The Common Bench shall not be removed without warning by Adjournment.

Admeasurement of Dower.

I. Stat. West. 2. cap. 7. 13 E. 1. A Guardian shall have a Writ of Admeasurement of Dower; yet the heir (at full age) shall not be barred by that Suit, in case it be prosecuted by Collusion.

II. When it comes to the great Distress, days shall be given, within which two Counties may be holden, where Proclamation shall be made for the Defendant to come in at the day contained in the Writ: at which if the Defendant appear, the Plea shall proceed; but if not upon the Proclamation returned by the Sheriff, and the Defendants default, Admeasurement shall be made.

Admeasurement of Pasture.

I. Stat. 2. cap. 8. 13 E. 1. Upon a second overcharge of Pasture, if the Pasture were admeasured before the Justices, the re-

medy shall be by Writ judicial, returnable before the Justices under the Seals of the Sheriff and Jurors : and then the Justices shall award Damages to the Plaintiff, and shall Estreat into the Exchequer the value of the beasts (wherewith the Pasture was so overcharged) to be answered to the King.

II. If the Admeasurement were made in the County, the Sheriff by a Chancery-Writ shall enquire of the Surcharge, and value of the Beasts, and shall answer the same to the King in the Exchequer.

III. To prevent fraud in the Sheriff, all such Writs *De secunda super-operatione* shall be Enrolled, and also at the years end transcribed in the Exchequer ; and so likewise shall Writs of *Redisseisin*.

Administrators.

I. Stat. 31 E. 3. 11. The Ordinaries shall depute the next and most lawful Friends of the Intestate to Administer his Goods ; which Deputies shall have the benefit, and incur the charge of an Executor, and shall also be accountable to the Ordinaries as Executors.

II. Stat. 21 H. 8. cap. 5. Administration of Intestates Goods shall be granted to the Widow, or next of Kin to the Intestate, or both, as the Ordinary shall think fit.

* See what Fees ought to be paid for Probate of wills, and obtaining Administrations, and upon what Penalties upon exaction, post Title Probate of Testaments.

III. Stat. 22 and 23 Car. 2. cap. 10. All Ordinaries and Ecclesiastical Judges having power to commit Administration, shall upon their granting Administration of Intestates Goods, take Bonds with Sureties, two or more, in the name of the Ordinary, with this Condition, *viz.*

The Condition of this Obligation is such, That if the within-bounded A. B. Administrator of all and singular the Goods, Chattels, and Credits of C. D. deceased, do make, or cause to be made a true and perfect Inventory of all and singular the Goods, Chattels and Credits of the said Deceased, which have or shall come to the hands, possession or knowledge of him the said A. B. or into the hands and possession of any other person, or persons for him, and the same so made, do exhibit or cause to be exhibited into the Registry of Court, at or before the day of next ensuing ; and the same Goods, Chattels and Credits, and all other the Goods, Chattels and Credits of the said Deceased at the time of his death, which at any time after shall come to the hands or possession of the said A. B. or into the hands and possession of any other person or persons for him, do well and truly Administer according to Law ; and further do make, or cause to be made a true and just account of his said Administration, at or before the day of And all the rest and residue of the said Goods, Chattels and Credits which shall be found remaining upon the said Administrators account, the same being first examined and allowed of by the Judge or Judges for the time being, of the said Court, shall deliver

Administrators.

And pay unto such person or persons respectively, as the said Judge or Judges by his or their Decree or Sentence pursuant to the true intent and meaning of this Act, shall limit and appoint; and if it shall hereafter appear, that any last will and Testament was made by the said Deceased, and the Executor or Executors therein named do exhibit the same into the said Court, making request to have it allowed and approved accordingly, if the said A. B. within bounden being thereunto required, do render and deliver the said Letters of Administration (approbation of such Testament being first had and made) into the said Court; then this Obligation to be void and of none effect, or else to remain in full force and virtue.

IV. The Ordinaries, &c. may call such Administrators to account, and order distribution of what remaineth after Debts, Funerals, and just Expences of all sorts allowed, according to the Laws in such cases, and the Rules hereafter set down; saving to persons aggrieved their right of appeal.

V. The Customs of the City of London, and Province of York, and other Places, saved.

VI. The surplusage shall be distributed as follows, viz. one third to the Wife of the Intestate, the residue among his Children, and such as legally represent them, if any of them be dead, other than such children (not heirs at Law) who shall have any Estate by settlement of the Intestate in his life-time) equal to the other shares: Children, other then heirs at Law, advanced by settlements or portions not equal to the other shares, shall have so much of the surplusage, as shall make the Estate of all to be equal. But the Heir at Law shall have an equal part in the distribution with the other Children, without any consideration of what he hath by descent, or otherwise from the Intestate.

VII. If there be no Children, nor legal Representatives of them, one moiety shall be allotted to the Wife, the residue equally to the next of Kindred to the Intestate in equal degree, and those who represent them.

VIII. No Representatives shall be admitted among Collaterals after Brothers and Sisters Children. And if there be no Wife, all shall be distributed among the Children, and if no Child, to the next of Kin to the Intestate in equal degree, and their Representatives, *ut supra*.

IX. No such distribution shall be made till after one year after the Intestates death, and every one to whom any shares shall be allotted, shall give Bond with Sureties in the said Courts, that if Debts afterwards be made to appear, he shall refund his ratable part thereof, and of the Administrators charges.

X. In all cases where the Ordinary hath used to grant Administration, *cum Testamento annexo*, he shall continue so to do.

XI. This Act shall continue seven years, and from thence to the end of the next Sessions of Parliament.

XII. Stat. 29 Car. 2. cap. 3. The Act of 22 & 23 Car. 2. cap. 10. shall not extend to the Estates of Feme Coverts, that die Intestate,

but that their Huſbands may have Adminiſtration of their perſonal Eſtates, as before the making of the ſaid Act.

XIII. Stat. 30 Car. 2. cap. 6. An Act of this Parliament, Entituled, An Act for avoiding unneceſſary Suits and delays, (*whereby amongſt other things it was Enacted, That an Adminiſtrator de bonis non may ſue a Scire Facias, and take Execution upon a Judgment had in the name of an Executor or Adminiſtrator*) and another Act for the better ſettling Inteſtates Eſtates, ſhall be in force from the firſt day of the Seſſion for ſeven years, and from thence to the end of the next Seſſion of Parliament.

Admiralty.

I. Stat. 13 R. 2. 5. The Admirals or their Deputies ſhall not meddle with any thing done within the Realm, but onely upon the Sea.

II. Stat. 15 R. 2. 3. The Admirals Court ſhall not have Cogniſance of any thing done within the bodies of Counties, as well by Land as by Water, nor with Wrecks of the Sea.

III. Of the death of a Man, and of a Maihem done in great Ships hovering in the main Stream of great Rivers (beneath the Bridges near the Sea) the Admiral ſhall have Cogniſance, and likewise to arreſt Ships in great Fleets, for the great Voyages of the King and Kingdom; and ſhall alſo have Jurisdiction in ſuch Fleets during ſuch Voyages: Saving to the King his Forfeitures, and to Lords, Cities and Boroughs their Liberties and Franchiſes.

IV. Stat. 2 Hen. 6. 11. The Statute of 13 R. 2. 5. is confirmed.

V. The party grieved by the non-obſervance of that Statute, ſhall (by Action upon his Caſe) recover double Damages againſt the Proſecutor in the Admiralty, and the Proſecutor ſhall alſo forfeit Ten pounds to the King, being thereof attainted.

VI. Stat. 8 El. 5. A Sentence definitive in a Civil and Marine Caſe by Delegates appointed by Commiſſion (upon an Appeal duly made in the Chancery) ſhall be final. *Admiralty Court, ſee Title Courts.*

Advouſon.

I. 2 Eſt. 2. cap. 6. 13 E. 1. Uſurpation of Churches during Wardſhip, particular Eſtates, Coverture, or Vacancy, ſhall not bar the Heir at full age, the Reverſioner or Remainder in poſſeſſion, the Feine Discovert, or the Spiritual perſon in ſucceſſion, from having the Writ of Advouſon poſſeſſory, viz. *Quare impedit*, or an Aſſiſe of *Darrein preſentment*, as their Anceſtor or Predeceſſor might have had, if the Uſurpation had happened in their time: whereas before this Act they were (in ſuch caſes) put to their Writ of right of Advouſon.

II. Howbeit

II. Howbeit this Act shall not extend to annul Judgments already given, but they shall be reversed by Error or Attaint.

III. One and the same form of Pleading shall be used in *Darrein presentment* and *Quare impedit*; viz. if the Defendant alledgeth Plenary, of his own Presentation, the Plea shall not stay by reason of the Plenary, so as the Writ be purchased within the six months, albeit he cannot recover within that time.

IV. Where Partition is made upon Record or by Fine to Present by turn, the Coparcener that is disturbed shall not be put to a *Quare impedit*, but may have remedy upon the Roll or Fine by *Scire facias*.

V. When six months pass hanging a *Quare impedit*, or *Darrein presentment*, so that the Bishop Presents by Lapse, the Patron shall recover Damages to two years value of the Church; otherwise Damages onely to half a years value.

VI. The Disturber not being able to render Damages, shall in the first case have imprisonment of two years, and in the other of half a year.

VII. Writs also shall hereafter be granted for Chappels, Prebends, Vicarages, Hospitals, Abbeys, Priories, and other Houses, which be of the Advousons of other men.

VIII. When the Parson of a Church is disturbed to demand Tithes in the next Parish by *Indicavit*, the Patron shall have a Writ to demand the Advouson of those Tithes; and when it is deraigned, then shall the Plea pass in the Court Christian.

IX. Amongst Coparceners, if one Present twice together, yet shall not the other be barred, but have his or her turn when it falleth.

X. *Prerog. Reg. cap. 8. 17 E. 2.* Lapse of six months shall not prejudice the Kings Presentation to a Church.

XI. *Stat. de Clero cap. 3. 23 E. 3.* When the King Collates to the Church in anothers right, his Title shall be well examined, and the Patron grieved shall have as many Writs thereupon as shall be needful.

XII. *Stat. de Clero cap. 7. 27 E. 3.* When the Ordinary Presents by Lapse, and the King takes the Suit against the Patron who in deceit suffers the King to recover; in this case, when the Kings right is not tried, the Ordinary or Incumbent may counterplead the Kings Title.

Affidavit.

I. *Stat. 16 & 17 Car. 2. cap. 9.* The Chancellor of the Dutchy and County Palatine of Lancaster may from time to time in power person within the County Palatine, and other Dutchy Liberties, to take Affidavits concerning any matter depending in the Court of Dutchy Chamber, which shall be Filed in the Office of the Clerk of the Court of the Dutchy, and made use of as other Affidavits taken in the said Court are.

II. The

Age, and of the King.

II. The person taking such Affidavit shall receive but 12 d. for so doing.

III. Stat. 29 Car. 2. cap. 5. The Chief Justice, and other the Justices of the Court of Kings Bench, or any two of them, whereof the Chief Justice to be one for that Court; the Chief Justice of the Common Pleas, and the rest of the Justices there, or two of them, whereof the Chief Justice to be one for that Court, and the Lord Treasurer, Chancellor and Barons of the Exchequer, or two of them, whereof the Lord Treasurer, Chancellor, or Chief Baron to be one for that Court, may by *Coiffons* under the Seals of the said respective Courts from time to time, empower persons in the several Counties, to take Affidavits concerning any thing depending, or concerning any Proceedings in the said Courts, as Masters of Chancery in extraordinary use to do. And any Judge of Assize in his Circuit may take Affidavits concerning any thing depending, &c. as aforesaid. Which Affidavits shall be Filed in the several Offices of the said Courts, and be made use of as other Affidavits taken in the said Courts. And all persons forswearing themselves in such Affidavits, shall incur the same Penalties as if they had been taken in open Court.

IV. The persons taking such Affidavits shall receive onely 1 s. for so doing, besides the Kings Duty: which Duty shall be paid to the proper Officers in the said Courts before such Affidavit be there Filed or made use of,

Age.

I. West. 1. cap. 46. 3 E. 1. If a Writ of *Novel disseisin* be purchased, and the Disseisor die before the Assise be passed, the Plaintiff shall have a Writ of Entry *sur disseisin* against his Heir. The like Writs shall the Heir of the Disseisee have, in case he die, &c.

II. And here Nonage of the Heir of the Disseisor or Disseisee shall not prejudice in Assise.

III. If the Inquest pass against the Heir of the Disseisee, he shall have an Attaint *gratis*.

IV. Stat. of Gloucester, cap. 2. 6. E. 1. Where an Infant is held from his Inheritance, whereby he is driven to his Writ, the Inquest shall pass notwithstanding his Nonage.

V. An Exposition of the Statute of Gloucester, cap. 2. 6 E. 1. touching an Inquest to be made for an Infant, that Statute shall run without limitation of time.

VI. Stat. west. 2. cap. 40. 13 E. 1. The Suit of a Woman or her Heir after the death of her Husband, shall not be delayed by the Minority of the Heir, who ought to warrant the Land.

Aid of the King.

I. Stat. de Bigamis, cap. 1. 4 E. 1. Where a Feoffment with a Charter

Alehouses, Drunkenness.

Charter thereupon being made by the King hath so much in it that another person by a like Feoffment, and like Deed, should be bound to Warranty: the Heir shall have Aid, and the Justices shall not proceed without the Kings commandment.

II. *Ibidem*, cap. 2. But where the King onely confirmeth or ratifieth anothers Act in another mans thing, or granteth any thing to a man as much as in him is, or where a Deed is shewed, whereby the King hath rendred any Tenement, and no clause of Warranty is contained therein: in these and like cases (the same being shewed to the King) the Justices may proceed, and the Tenant shall not have Aid.

III. *Ibidem*, cap. 3. In Dower the Kings Grantee of a Ward shall not have Aid, but the Justices may proceed according to right.

IV. Stat. 14 E. 3. 14. Stat. 1. Upon demand of Lands in the Kings hands, after four Writs of search directed to the Treasurer and Chamberlains of the Exchequer, for finding the Kings Minuements, he that defends the Lands for the King shall be put to answer, so that the said Writs were delivered 40 days before their return, and then Justice shall not be delayed, albeit the contrary be commanded under the Great or Privy Seal.

*** Alehouses, Drunkenness.**

I. Stat. 5 & 6 E. 6. 25. None shall keep Alehouse without Licence granted either in Sessions, or by two Justices (1 *Quor.*) in pain of three days Imprisonment without Bail, and none to be enlarged without Recognisance by himself and two Sureties, that he shall not keep Alehouse any longer; the Certificate of which Recognisance and Offence shall be a sufficient Conviction at the Quarter Sessions to Fine him 20 *sh.*

II. The Quarter Sessions, or two such Justices have power to put down Alehouses at their discretion, and to take Bond and Surety of Alehouse-keepers by Recognisance, that they shall not use unlawful Games, or other Disorder in their Houses, for which Recognisance the Parties bound shall pay 12 *d.* and whereof Certificate shall be made at the next Quarter Sessions, by the two Justices that take it, in pain of 5 Marks.

III. Justices of Peace have power to enquire after the breach of this last Recognisance, to award Process thereupon, and to hear and determine the same at their discretions.

IV. This Act shall not restrain the selling of Ale and Beer in Towns where Fairs are kept, during the time of the Fair.

V. Stat. 1 Jac. 9. No Inn-keeper, Victualler, or Alehouse-keeper, shall suffer any Town-dwellers to sit tipling in his House, in pain of 10 *sh.* nor sell less then a full Ale-quart of the best Ale or Beer, or two quarts of the small, for one penny, in pain of 20 *sh.* And here the view of one Justice, or proof by two Witnesses upon Oath before one Justice, is sufficient conviction.

VI. The

Drunkenness.

VI. The penalties aforesaid are given to the poor of the Parish where the offence is committed, and are to be levied by the Constable and Churchwardens by distress, which after six days may be sold to satisfy the penalty: and in default of distress, the party delinquent must suffer imprisonment till he pay the penalty.

VII. Here every Officer that neglects to levy the said penalties, or certifie (within twenty days) the default of distress, shall forfeit likewise to the poor fourty shillings, to be levied (upon Warrants from one Justice) by distress and sale, as aforesaid; and upon default of distress, shall incur commitment, as aforesaid.

VIII. The Officers, or other parties receiving these penalties, shall be accountable to the succeeding Officers and other Parishioners.

IX. Stat. 4 Jac. 4. None shall sell Ale or Beer to an unlicensed Alehouse-keeper, save onely for the expence of his household, in pain of 6 s. 8 d. for every barrel; and so more or less according to that proportion.

X. This offence shall be prosecuted in the Quarter Sessions, and the forfeiture shall be equally divided between the Prosecutor and the poor of the Parish.

XI. The Officer that shall levy the poors moiety, shall deliver it to the Churchwardens and Overseers of the Parish, or one of them, and they shall in convenient time make distribution thereof to the poor, in pain that both the Officer and they shall forfeit respectively double the value of that moiety, to be recovered and employed as aforesaid.

XII. Stat. 4 Jac. 5. One convicted of Drunkenness in Court, or before a Judge or Justices in their several limits, shall forfeit five shillings to the poor, to be levied and employed as the penalties of 1 Jac. 9. and in case he be not able to pay it, shall remain in the Stocks six hours.

XIII. Here the Officer that neglects to levy the said penalty shall forfeit ten shillings, to be levied and employed as aforesaid.

XIV. A Town-dweller which is convict to sit tipling in any Inn, Victualling house, or Ale-house, by the view of one Justice, or the proof of two Witnesses, shall forfeit Ten groats, to be levied and employed as aforesaid, and being not found able to pay it, shall remain in the Stocks four hours.

XV. These offences, as also those mentioned in 1 Jac. 9. shall be enquired of, heard and determined, at the Assises, Quarter Sessions, in Corporate Towns and in Leets.

XVI. One convicted the second time of Drunkenness, shall be bound in Ten pounds with two Sureties to the good behaviour.

XVII. All Constables, Churchwardens, Headboroughs, Tithingmen, Aleconners, and Sidemen, shall be charged on their Oaths to present the said offences.

XVIII. This Act shall not restrain Ecclesiastical Jurisdiction, nor the two Universities.

XIX. None shall be twice punished for one offence.

XX. The

XX. The offenders against this Act shall be prosecuted within six months.

XXI. Stat. 21 Jac. 10. An Alehouse-keeper lawfully convicted for any of the offences forbidden by the Statutes of 1 Jac. 9. or 4 Jac. 5. shall be disabled to keep Alehouse within three years after.

XXII. Stat. 21 Jac. 7. One witness, or the parties own confession, shall be sufficient to prove the breach of 1 Jac. 9. and 4 Jac. 5. and the Oath of the party confessing, shall be sufficient to convince any other.

XXIII. The like view, proof, or confession, shall convince a Drunkard, as well for the penalty of 5 s. as for the binding of him to the good behaviour, according to 4 Jac. 5.

XXIV. An Alehouse-keeper offending against 1 Jac. 9. or 4 Jac. 5. according to the alterations of this Act, is disabled to keep Alehouse within three years after.

XXV. All Constables, Churchwardens, Headboroughs, Tithingmen, Aleconners, and Sidemen, shall be charged on their Oaths, to present the offences committed against 1 Jac. 9. and 4 Jac. 5. according to the alterations of this Act.

XXVI. Stat. 1 Car. 4. The Inn-keeper, Alehouse-keeper, or Victualler, which suffers any person whatsoever to sit tripling in his house, shall incur the penalty of 1 Jac. 9. to be proved, levied and employed, as in that Statute is appointed.

XXVII. Vintners, which do also keep Inns or Victualling-houses, shall be taken to be within this Act; as also within the Stat. of 1 Jac. 9. and 4 Jac. 5.

XXVIII. Stat. 3 Car. 3. None shall keep an Alehouse without Licence, in pain to forfeit 20 s. to the poor, which the Constable and Churchwarden (upon Warrant from the Justice before whom the offence is proved) shall levy by distress, which (within three days) may be sold to satisfy the penalty; and in case the Delinquent hath not wherewithall, the said Justice shall commit to the Constable to be openly whipped. And here the view of one Justice, the confession of the party, or proof by two Witnesses, is sufficient conviction,

XXIX. Here the Officer that neglects to execute the Warrant, or to punish the offender, shall suffer imprisonment without bail, or pay 40 s. to be employed as aforesaid.

XXX. In this case, if the Alehouse-keeper offend the second time, he shall be committed to the House of Correction for one month; and for the third offence shall not be thence enlarged but by Order of Sessions.

XXXI. The offender once punished by this Act, shall not be again punished by 5 & 6 E. 6. 25. & contra.

XXXII. This Act shall not restrain the selling of Ale and Beer in Fairs.

Vide Beer, Ale, and Mum.

Alienation without Licence.

Note that clause is in Raft. fol. 7. But I find it not in the Stat. at large, nor in Stanford. 'Tis in Polton, cap. 6.

I. *Prerogat. Regis, cap. 6. 17 E. 2.* None holding of the King in chief by Knight-service, (without his Licence) alien so much of his Land, that the residue will not suffice to do his service: but this is not meant of little parcels thereof.

II. When Serjeanties are aliened without the Kings Licence, the King hath used to rate them at reasonable extent.

III. *Stat. 1. Car. 3.* All Licences of Alienations (other than upon raising of uses by force of any Deed from or out of the Estate of the Covenantor) shall be general to alien, without expressing any use.

IV. The Officer that takes above 26 s. 8 d. for drawing, pleading, entering, finishing and discharging a Licence or Pardon of Alienation shall forfeit to the party grieved for every peny so taken, 5 s. to be recovered by Information or Action of Debt, and shall be for ever after disabled to bear Office in any Court of Justice.

Aliens.

I. *Stat. 31 H. 6. 4.* If any Stranger (being in league, or having the Kings safe conduct) be attached in his person, or robbed of his Ship or Goods, by any of the Kings Subjects at Sea, or in any Port within the Kings Dominions, the Chancellor, (upon a Bill of complaint) calling to him any of the Justices of either Bench, shall have power to enlarge the person so attached, and to make delivery and restitution of the Ship or Goods, or the value thereof, and also of all costs, expences, and losses sustained in that behalf.

* II. *Stat. 1 R. 3. 9.* An Alien Artificer (not made Denizen) shall not remain nor exercise any Handicraft in *England*, unless a servant to a Subject skilful in the same Art, in pain to forfeit all his Goods.

III. No such Alien shall here in *England* make any cloth, or put any wooll to work, in pain to forfeit the cloth so made.

IV. Such an Alien shall here in *England* sell his Wares in gross and not by retail, in pain to forfeit the value of the Wares otherwise sold: and being an Handicrafts-man, and inhabiting a great House or Chamber, shall not take any Apprentice or Servant to work with him, unless it be his Son or Daughter, or else a Subject born, in pain to forfeit for every Apprentice or Servant otherwise taken, 20 l.

V. The Forfeitures of this Act are to be divided between the King and the Prosecutor.

VI. *Stat. 14 H. 8. 2.* No Stranger Artificer (Denizen or not Denizen) shall take any Apprentice, but such as is born under the Kings obedience, in pain to forfeit 10 l. for every Apprentice otherwise taken, to be divided betwixt the King and the Prosecutor.

No Alien shall keep above two Journey-men, except they be born

born under the Kings obeisance, upon the like pain, to be divided as aforesaid.

VII. All Strangers (Denizens or not Denizens) dwelling within two miles of *London*, shall be under the reformation of the Wardens of Handicrafts within that City, and of one substantial Stranger, being an Householder, of the same Craft, to be chosen by the same Wardens.

VIII. The said Wardens and that one Stranger shall assign a proper mark for Strangers Wares, without taking any thing for the same.

IX. The said Wardens and Stranger shall have power to search, view and reform the Wares of Aliens, made within the said Precinct.

X. Smiths, Joyners, and Coopers, (being Aliens) shall put such marks to their Wares, before they sell or use them, as the said Wardens shall appoint, without taking any thing therefore, in pain to forfeit the double value thereof, to be divided between the King and the Prosecutor.

XI. If upon such search the Wardens and Stranger shall find any Wares to be deceitfully made, they shall be forfeit, *viz.* the one half to the King, and the other half to the Finder, and shall be recovered by Action of Detinue.

XII. Wardens and Masters of Fellowships of Handicrafts in other Corporations, and Bailiffs and other Head Officers in Towns lacking Wardens, have like power to reform Strangers, and Strangers are bound to yield obedience unto them, upon the like pains as aforesaid.

XIII. Here if a Stranger be wronged, upon complaint to the Chancellor and Treasurer of *England*, or to the Justice of Assise, he shall have redress.

XIV. This Act shall not extend to Strangers dwelling in *Oxford*, *Cambridge*, and *St. Martins le grand London*.

XV. If the Wardens with a Stranger, or the Officers of Corporations or other Towns, refuse to mark a Strangers Wares, being required so to do, in such case it shall be lawful for such Stranger to sell his Wares, this Act notwithstanding.

XVI. This Act shall onely extend to Joyners, Pouch-makers, Coopers and Blacksmiths, and to no other Crafts.

XVII. Any of the Kings Subjects having Land worth an 100 *l.* *annum*, may retain any Stranger, that is a Joyner or Glasier, to work for him, this Act notwithstanding.

XVIII. Stat. 21 H. 8. 16. A Decree made in the Star-Chamber the 20th of February, 20 H. 8. concerning Artificers Strangers, was confirmed: The substance of which Decree hereafter followeth.

XIX. A Stranger Artificer shall not keep in his House at one time above two Strangers Servants: howbeit a Subject Artificer may retain as many Strangers as he pleaseth, to be his Servants or Apprentices.

XX. Strangers Artificers may take as many *English-men* to be their Servants or Apprentices as they can get.

XXI. Stran-

XXI. Strangers Artificers shall be contributory with *English* Artificers; and in case they refuse, they shall not onely lose the benefit of this Decree, but likewise be prohibited to exercise the Craft, in pain of incurring the forfeiture of the abovesaid Statute.

XXII. Strangers Artificers shall (upon lawful warning) go with the Wardens and other Governours of the same Company to make search: which if they refuse, and that proved before the Chancellor of *England*, or Mayor of *London*, or (in other Places, before the chief Officers, they shall no longer exercise their Profession in *England*, in pain of the forfeitures aforesaid.

XXIII. Strangers Artificers shall (upon lawful notice) make Oath to be true to the King, and obedient to his Laws, and to make due search with others: and not to discover to any before hand the intention of search; and being sworn, shall pay for their Commission as the Subjects of *England* do.

XXIV. No Strangers but Denizens shall keep House or Shop, in pain of incurring the penalties of the aforesaid Statutes.

XXV. Strangers shall not assemble but in the common Halls of their Mysteries, upon the penalties aforesaid.

XXVI. This Decree and Act (for so much as concerns Cordwainers) shall extend as well to such as work old Stuff, as those that work new.

XXVII. This Decree and Act shall not extend to Strangers (Denizens or not Denizens) dwelling in *Oxford*, *Cambridge*, *St. Martins le grand* *London*.

XXVIII. Stat. 22 H. 8. 8. Aliens born, made Denizens, shall pay all such Customs and other Duties as they did before they were made Denizens.

XXIX. A Table of Customs, Tolls, and Duties, shall be set up in every City, Borough and Town, in pain that every City not doing the same shall forfeit 5 *l.* and every Town Corporate 40 *l.* for every month the same shall fail to set up at *Pentecost* next, to be divided betwixt the King and the Prosecutor.

XXX. This Act shall not prejudice the Merchants of the *Strait* *yard* *London*.

XXXI. Provided, that the Tables of Scavage to be set up in *London*, shall be approved by the Chancellor and Treasurer of *England*, the President of the Kings Council, the Lord Privy Seal, the Lord Steward of the Kings House, and the two Chief Justices or four of them, and shall be by them subscribed.

XXXII. Stat. 22 H. 8. 13. No Stranger being a common Baker, Brewer, Surgeon or Scrivener, shall be accounted a Handicraftsman within the penal Statutes made against Strangers Artificers.

XXXIII. Stat. 32 H. 8. 16. All Strangers (made Denizens) shall be obedient to the Statutes of 1 R. 3. 6. 14 H. 8. 2. and 21 H. 8. 16. And in all Letters Patents of Denization hereafter to be made, Proviso for that purpose shall be inserted: save onely when the King shall please to grant special Liberties, and then those Liberties shall

plainly exprest, both in Bills signed by his Majesty, and also in the Letters Patents.

XXXIV. No Alien Artificer (Denizen or not Denizen) in Oxford, Cambridge, or St. Martin le Grand London, shall keep above two Strangers (servants at one time, in pain to incur the penalty of 14 d. 8. 2.

XXXV. Every Alien (not Denizen) within the Kings Dominions shall be bound to observe the Laws of this Kingdom.

XXXVI. No Subject or Stranger (using no handicraft) shall retain above four servants strangers, in pain to forfeit for every servant kept above that number, 10 l.

XXXVII. The abovesaid forfeitures shall be divided betwixt the King and the Prosecutor.

XXXVIII. This Act shall not be prejudicial to a Proclamation published by the King, concerning the payment of Customs for Strangers, to endure for certain years.

XXXIX. Lords of the Parliament may keep six strangers born, at one time.

XL. No stranger (except Denizens) shall take a Lease of any house or shop, in pain to forfeit 5 l. and none shall lett them such Leases upon the like pain, both of them to be divided betwixt the King and the Prosecutor.

XLI. Stat. 5. Car. 2. cap. 6. All clauses in any Statute that concern any Custome or Subsidy upon the native Commodities of this Realm (except Coals) or Manufactures made here, to be exported, payable by Aliens made Denizens or other Aliens, over and above what is payable by natural born Subjects, are hereby repealed.

XLII. And such Merchants shall pay for all such Merchandizes exported such Customs and Subsidies only as the King's natural born Subjects do by vertue of the Stat. of the 22th of this King, cap. 4.

XLIII. Every Merchant Denizen or Alien shall pay for all sorts of Fish caught by English-men, and exported in English Shipping, and whereof the Master and three fourths of the Mariners shall be English, no greater Customs and Subsidies than Natives of this Realm pay.

XLIV. Stat. 29. Car. 2. cap. 6. All persons that between the 14 of June 1641, and the 22th of March 1660, were born out of the King's Dominions, and whose Fathers or Mothers, were natural born Subjects of this Realm, are hereby declared the King's natural born Subjects to all intents and purposes, as if born in England.

XLV. Provided that no persons (other than some expressly named in this Act) shall have benefit thereby, unless within seven years next ensuing they receive the Sacrament of the Lord's Supper, and within a month after take the Oaths of Allegiance and Supremacy in some of the King's Courts at Westminster, and deliver into such Court a Certificate of such their receiving, and make proof thereof by witnesses viva voce upon Oath.

XLVI. Any persons having received the Sacrament and made proof thereof by Certificate and witnesses and taken the said Oath in any of the said Courts *ut supra*, shall be admitted to make proof of such his qualification by witnesses *viva voce* upon Oath, and shall thereupon have a Certificate under the Seal of the said Court to be likewise Enrolled there, and for ever after upon shewing such Certificate or Enrolment shall have the full benefit of this Act.

Amendments.

I. Stat. 14 E. 3. 6. Stat. 1. A process which is defective by Misprision of a Clerk, in one syllable or letter too much or too little shall be amended without giving advantage to the party challenging the same.

II. Stat. 9 H. 5. 4. The Justices before whom such default shall be found in any Record or Process may amend the same as well after Judgment as before, so long as such Record or Process shall continue before them.

III. Stat. 4 H. 6. 3. The Statute of 9 H. 3. 4. is made perpetual; provided it shall not extend to Records or Process in *Wales*, whereby any person is outlawed.

IV. Stat. 8 E. 6. 12. No Judgment or Record shall be reversed or annulled for Error assigned by reason of the razing or interlining of any Record, Process, Warrant, Writ, Pannel, or Return; or of an Addition, Substraction or Diminution of Words, Letters, Titles, or parcel of Letters, found in the same.

V. The Judges may reform all defects in any Record, Process, Wards, Plea, Warrant, Writ, Pannel, or Return; (except Appeals and Indictments of Treason or Felony, and the Outlawries of the same) and the substance of the proper names, surnames, and additions, let out in Original Writs, Exigent, and in other Writs of Proclamation contrary to the Statute of 1 H. 5. 5. which see in Addition) so that by such misprision of the Clerk no Judgment shall be reversed or annulled.

VI. Variance alledged between a Record and the Certificate thereof shall be amended by the Judges.

VII. Imbezling of a Record is felony.

VIII. If a Record, Process, Writ, Warrant, Pannel, Return, or any parcel thereof, be exemplified under the Great Seal, and enrolled; for any error assigned in the said Record, &c. in any letter, word, clause or matter varying, or contrary to the exemplification and enrolment, there shall be no judgment reversed or annulled.

IX. Stat. 8 H. 6. 13. The Justices may amend the misprision and defaults of Clerks of the Court, or of Sheriffs their Clerks, or of all other Officers whatsoever, found before them in any Record or Process, or the return of the same, by reason of writing one letter or one syllable too much or too little, except in Records and Processes writ in *Wales*, and of felonies and treasons, and the dependant of the same.

Amerrament

Amerciaments.

I. *Magna Charta, cap. 14. 9 H. 3.* A free-man shall not be amerced for a small fault, but according to the manner thereof, and for a great offence according to the quantity thereof, saving to him his Contentment (or *Countenance*,) and a Merchant saving his merchandize, and any Villain (except the King's) shall be amerced saving his wainage; and such amerciaments shall be assessed by lawful men of the Vicinage. Peers also shall be amerced by Peers according to their offence. Also Church-men shall be amerced according to their Lay-tenement, and the quantity of their offence, and not according to their Spiritual Benefice.

II. *Parlb. cap. 18. 32 H. 3.* No Escheator, Commissioner, or Justice assigned to take Assises, or to hear or determine matters, shall have power to amerce for default of common Summons, but the Chief Justices, or the Justices in Eyre in their Circuit.

III. *Stat. 2. cap. 6.* No City, Borough, Town or man shall be amerced without reasonable cause, and according to the trespass, viz. every Free-man saving his Free-hold, a Merchant saving his Merchandize, a Villain saving his Gainure, and that by his or their Peers. See Fines.

Appearance.

I. *Stat. 10 H. 6. 4.* No Filizer, Exigent, or other Officer whatever, in any suit shall make entry, that the Plaintiff *obtulit se in propria persona sua*, unless, the Plaintiff, before such entry made, doth (indeed) appear in proper person before some of the Justices of the place where the Plea depends, and (either by himself, or some other credible person of his Counsel) make Oath, that he is the same person in whose name that suit is prosecuted. This Act to continue to the next Parliament.

II *Stat. 18 H. 6. 9.* The Statute of 10 H. 6. 4. is made perpetual.

III. No Officer contained in the Statute of 10 H. 6. 4. shall do to the contrary thereof, in pain to forfeit 40 s. to the King for every time that he shall be attainted thereof by due examination of any of the Justices before whom the Entry or Record is.

IV. Every Attorney who hath not his Warrant entred upon Record, in all suits wherein process of *Capias* and *Exigent* are awardable, the same Term in which the *Exigent* is awarded, or before, and is therefore attainted by like examination, for every time he so offendeth shall incur the pain aforesaid.

Appeals.

I. *Magna Charta, cap. 34. 9 H. 3.* No man shall be taken or imprisoned, upon the Appeal of a Woman, for the death of any other than her Husband.

II. *Wileff. 1. c. 14. 3 E. 1.* The Accessory in an Appeal shall not be outlawed before the Principal be attainted: Howbeit none shall intermit to commence their Appeal at the next County as well against the Accessory as against the Principal: but the *Exigent* against those shall remain, until those be attainted by Outlawry or otherwise.

III. *Stat. Glouc. c. 14. 9 E. 1.* If the Appealor declare the deed, the year, the day, the hour, the time of the King, and the Town where the fact was done, and with what weapon, the Appeal shall stand, and shall not be abated for default of fresh suit, so that he sue within a year and a day after the fact.

IV. *Wileff. 2. 12. 13 E. 1.* Upon a false Appeal by malice the Appealor shall suffer a years imprisonment, make fine to the King, and recompense damages to the Appellant at the discretion of the Justices.

V. When the Appealor is not able to satisfy damages, and an Assessor (through malice) is also found by the same Inquest, such Assessor shall also be punished by imprisonment and restitution of damages, as before.

VI. *Articuli Cleri. ca. 10. 9 E. 2.* Thieves and Appealors (whensoever they will) may confess their offences to Priests: but let the Confessors beware that they inform them not erroneously.

VII. *Stat. of Appeals, 28 E. 1.* When any are Appealed by provers, the Sheriff shall by the Kings Writ, under the testimony of the Justices that delivered those provers, bring such Appeals to the Gaols where the provers or Appealors are kept, to answer before the same Justices: and if the Appealees will be tried by the County, the Sheriff shall also by a judicial Writ from the same Justices cause an Inquest to appear.

VIII. The Sheriff and others (in whose custody such Appealors are kept) shall receive such Appealees without contradiction.

IX. *Stat. 1 H. 4. 14.* All Appeals of things done within the Realm shall be tried by the laws thereof; and of those done out of the Realm, by the Constable and Marshal of England for the time being.

Appeals to Rome.

* I. *Stat. 24 H. 8. 12.* All causes Testamentary, and of Matrimony, Divorces, Rights of Tithes, Oblations and Obventions, shall be adjudged within the Kings Authority, and not elsewhere.

II. The Prelates of this Realm may execute all Sacraments, Sacramental

mentals, Divine Service, and all other things, to the Kings Subjects which they ought to do, notwithstanding any Appeal to *Roms*, or any other foreign power whatsoever.

III. If any Spiritual person for fear of any forrein power shall refuse so to do, he shall make fine and ransom at the Kings pleasure.

IV. Whosoever procureth from the See of *Rome*, or any other forrein Court, any Appeals, Proceſſes, Sentences, &c. shall incur a *Premunire*, provided by the Statute of 16 R. 2. 3. which ſee in Proviſo 8.

V. Appeals in caſes Eccleſiaſtical ſhall be ſued from the Archdeacon or his Official to the Biſhop Dioceſan: and when the cauſe is commenced before the Biſhop Dioceſan or his Commiſſary, within 15 days after ſentence, an appeal may be made from thence to the reſpective Archbiſhop of the Province, to be there definitely adjudged.

VI. When the cauſe is commenced before an Archdeacon of any Archbiſhop or his Commiſſary, the appeal may be made within 15 days after ſentence to the Court of Arches or Audience, of the ſame Archbiſhop; and from the Arches or Audience, within 15 days after ſentence there, to the Archbiſhop himſelf, to be finally determined, without any farther appeal.

VII. When the cauſe is commenced before the Archbiſhop himſelf, it ſhall be there determined without any further appeal, ſaving to the Archbiſhop and Church of *Canterbury* the due prerogative heretofore uſed.

VIII. When the cauſe or ſuit concerns the King, the party grieved may (within fifteen days after ſentence) appeal from any of the ſaid Courts to the Prelates aſſembled (by the Kings Writ) in the Convocation being, or next enſuing, in the Province where the ſuit was begun; and there it ſhall be finally determined.

IX. If any ſhall hereafter purſue any Appeal contrary to this Act, ſhall reſuſe to obey it, he ſhall incur a *Premunire*.

Apprentice.

I. Stat. 12 H. 7. 1. The makers of Worſteds, Says and Stamins in *Norfolk* are enabled to take Apprentices, and any perſon may alſo take Apprentices unto them; ſo that they keep not above two Apprentices (at moſt) at one time.

Appropriations.

I. Stat. 15 R. 2. 6. In every Licence made in Chancery of the appropriation of any Church this ſhall be contained, *viz.* That the Biſhop ſhall ordain (according to the value of ſuch Churches) a convenient Sum to be yearly diſtributed out of the profits thereof

to the poor of the Parish by the appropriators and their successors for ever; and also that the Vicar shall be sufficiently endowed.

II. Stat. 4 H. 4. 12. The Statute of 1 R. 2. 6. shall be duly executed, and Appropriations made since that Statute contrary thereunto shall be reformed before Easter, or else to be void, except *Haddenham* in the Isle of Ely.

III. All Vicarages annexed or appropriated since 1 R. 2. shall be void.

IV. In every Church so appropriate a secular person shall be ordained Vicar, canonically instituted and inducted in the same, and conveniently endowed, (by the discretion of the Ordinary) to do Divine Service, inform the people, and keep hospitality there, (except *Haddenham* aforesaid,) and no Religious shall be hereafter made Vicar in any Church so appropriate.

Approbements.

I. Stat. 4 H. 4. 12. Lords of Wastes or Commonable woods or pastures may approve against their Tenants part thereof, that they leave sufficient Common besides, together with free egress and regress to enjoy the same: And the truth thereof shall be enquired by Assise, wherein damages shall be given to the Plaintiff if he recover, and the disseisors shall be amerced.

II. West. 2. cap. 46. 13 E. 1. The Statute of *Merton* shall not only bind the Lords Tenants, but neighbours also which claim common of Pasture as appurtenant to their Tenements: but if any claim common by special seoffment or grant for a certain number of beasts or otherwise, which is due to him of common right, he shall recover the same according to the form of such grant.

III. By occasion of a Wind-mill, Sheep-cote, Dairy, enlarging a Court necessary, or curtilage, none shall be grieved by Assise of *Waste* for common of Pasture.

IV. If any (upon just title of approvement) do make a ditch or hedge for that purpose, which afterwards is thrown down by some who cannot be discovered by verdict of the Assise or Jury, and the Towns adjoyning will not indict such as are guilty of the fact; in such case the said Towns shall be distrained to level again such ditch or hedge at their own costs, and shall also yield damages.

V. Stat. 3 E. 6. 3. The Statute of *Merton*, cap. 4. and *West.* cap. 46. are confirmed.

VI. Upon Judgment for the Plaintiff in an Assise upon any branch of the said Statutes of *Merton* or *West.* 2. the Court shall award treble damages.

VII. This Act shall not extend to houses heretofore built upon wastes or commons, nor having above three Acres of such waste or common ground belonging to them, nor to any Garden, Orchard or Pond there not exceeding two Acres; neither yet shall it cause any person to lose or forfeit any pain or damage for the same, but for

houses and grounds shall still stand and remain: howbeit the owners of such wastes or commons may lay open so much thereof as shall exceed three Acres.

VIII. Stat. 43 *EL.* 1. All Contracts or Bargains made of part of such wastes, commons, or several grounds, (lying in or near the same) as are subject to surrounding, between the Lords, Commoners, or Owners thereof, on the one part, and the drainers, on the other part, shall be good in Law according to the manners and forms of such contracts or bargains.

IX. Where the Queen, her Heirs and Successors, hath an interest in such wastes or commons, such contracts or bargains shall not bind them, unless they be written in Parchment, indented, and certified into the Chancery, and the Royal assent thereunto first obtained, and signified under the Privy or Great Seal, when the wastes or soils are of the possessions of the Crown; but under the Seal of the Duchy of Lancaster, and enrolled in that Court, when they are of that kind.

X. This Act shall not impair or take away the interest of such Lords Commoners, or Owners, in any part of the residue of the wastes or commons not assigned to the said Drainers, or any Franchise or Liberry; but that the same may be lawfully used, as if this Act, or such contract or bargain, had not been made.

XI. This Act shall not be prejudicial to Ports or Havens, neither shall it be put in execution within eight miles of *Yarmouth*, or six miles of *Linne*.

Armour, Arms.

I. Stat. 7 *E.* 1. It belongeth to the King to prohibit force of Arms, and all other force against the peace, and to punish Offenders herein according to the Law: and herein every subject is bound to aid.

II. Stat. 1 *E.* 3. Stat. 2. 5. None shall be charged to arm himself otherwise than was used in the time of the Kings Progenitors; neither yet shall any be compelled to go out of his Shire, but when necessary requireth, and the sudden coming of strange Enemies into the Realm: and then it shall be done as in times past, for the defence of the Realm.

III. Stat. 2 *E.* 3. 3. None shall come with force and Arms before the Kings Justices, or other his Ministers, nor go or ride Armed in affray of Peace, in pain to forfeit their Armour, and to suffer imprisonment at the Kings pleasure.

IV. Justices of Peace, and other Officers, have power to put this Act in execution, and the Justices of Assize shall enquire of their default in that behalf.

V. Stat. 7 *R.* 2. 13. None shall ride in harness contrary to 2 *E.* 3. in pain to forfeit the same.

VI. Stat. 20 *R.* 2. 1. The Statutes of 2 *E.* 3. 3. 7 *R.* 2. 13. shall

be duly observed, upon the pains contained in the said Statute of 2 E. 3, 3. and beside to make Fine to the King.

VII. Stat. 31 El. 4. To imbezil 20 s. worth of the Queen or her Successors Ordnance, Munition, or Victual provided for War, for lucre, or with purpose to hinder the Service, is adjudged Felony, if prosecuted within the year.

VIII. This offence shall not cause corruption of Blood, nor loss of Dower, onely the Offender shall forfeit his Lands during his life.

IX. The Defendant may produce Witnesses for his Discharge.

See more in Title Militia.

Arrests.

I. West. 1. cap. 34. 3. E. 1. None (except the Kings Ministers) shall within a Liberty arrest any person passing through the same, and holding nothing thereof, for any Contracts, Covenants, or Treppasses made or done out of such Liberty, in pain to pay double Damages to the party grieved, and a Fine to the King.

II. Stat. 59 E. 3. 5. None shall arrest Clerks or other persons of holy Church doing Divine Service, in pain of grievous forfeiture, so that Collusion be not found in any such persons or Clerks.

III. Stat. 1 R. 2. 16. None shall arrest such persons or Clerks doing Divine Service, in pain of imprisonment, and to be ransomed at the Kings will.

Arrow-heads.

* I. Stat. 7 H. 4. 7. All Heads for Arrows and Quarrels shall be well boiled or brazed, and hardened at the point with Steel, in pain to forfeit them, be imprisoned, and make Fine at the Kings will.

II. Such Arrow-heads and Quarrels shall be marked with the proper mark of the maker.

III. Justices of Peace shall have power to punish such as make defective Arrow-heads and Quarrels.

Assault.

* I. Stat. 5 H. 4. 6. If any assault the Servant of a Knight or Burgeiss of Parliament, Proclamation shall be made that he rend himself into the Kings Bench within a Quarter of a year; which if he do not, he shall be attainted of the Fact, and pay double Damages to the party grieved, to be Taxed by the discretion of the Justices, or by inquest, if need be; and besides shall make Fine and Ransom at the Kings will.

II. Stat. 11 H. 6. 11. The like provision is made against Assaults made upon any Member of either House of Parliament, or any other Council assembled by the Kings command; onely, if it

not Term-time, he shall then appear the first day of the Term following that Quarter, and upon appearance, shall be proceeded against as before.

Assises.

I. *Magna Charta, cap. 12. 9 H. 3.* Assises of *Novel disseisin* and *Mortdancer* shall be taken in their proper Shires in this manner: The King or (in his absence out of the Realm) the Chief Justices, shall once a year send the other Justices through every County, to take together with the Knights of the Shire such Assises in those Counties, and such things as cannot be there determined, shall be ended elsewhere in their Circuits: Also difficult matters shall be referred to the Justices of the Bench, to be there determined.

II. *West. 1. cap. 24. 3 E. 1.* If any Escheator, Sheriff, or other Balliff of the King, do by colour of his Office, without special Warrant pertaining to his Office, disseise any man of his Free-hold, or any thing belonging thereunto, it shall be in the election of the Disseisee, whether the King by Office shall cause it to be amended upon complaint, or that he will sue by Writ of *Novel disseisin*, wherein if the Disseisor be attainted, the Disseisee shall recover double Damages, and the Disseisor shall also be grievously amerced to the King.

III. *West. 1. cap. 36. 3 E. 6.* If any be attainted of *Disseisin* done in the now Kings time with robbery of Goods or otherwise, the Disseisee by Assise of *Novel disseisin* shall recover his Seisin and Damages, and the Disseisor (whether present or not) shall make Fine, and if present, shall be committed.

IV. *West. 1. cap. 48. 3 E. 1.* Assises of *Novel disseisin*, *Mortdancer*, and *Darrein presentment*, shall be taken in *Advent*, *Septuagesima*, and *Lent*, as well as Inquests, and that at the special request of the King made to the Bishops.

V. *West. 2. cap. 25. 13 E. 1.* For Estovers of Wood, profit to be taken in Woods, Corrody, delivery of Corn, and other Victuals and Necessaries, to be received yearly in a certain Place, Toll, Tunnage, Passage, Pontage, Pawnage, and the like, to be taken in Places certain, keeping of Parks, Woods, Forests, Chases, Warrens, Yates, and other Bailiwicks and Offices in Fee, an Assise of *Novel disseisin* shall be, and in such cases the Writ shall be (as in other cases) *De libero tenemento*.

VI. It shall also be for Common of Turf-land, Fishing, and such like Common appendant to Free-hold, or by special Deed, (as heretofore held place for Common of Pasture) provided the Estate therein be (at least) for life.

VII. If any holding for years or inward alien the Fee, remedy shall be had by this Writ, and both the Feoffors and Feoffees shall be sued for Disseisors: so that during the life of any of them the said Writ shall hold place; and if they die, the remedy shall be by Writ of Entry.

VIII. The

VIII. The giving of this Writ in new cases shall not diminish the force thereof in those wherein it had force before; and remedy also shall be had thereby in case where one feedeth in the several of another.

IX. In this Suit if the Defendant fail to make good the Exception on which he pleads, he shall be adjudged a Disseisor without taking the Assise, and shall give to the Plaintiff double Damages, both inquired, and to be inquired; and besides shall suffer a years imprisonment.

X. If such an Exception be alledged by a Bailiff, the taking of the Assise shall not be thereby delayed, nor yet the Judgment upon the restitution of the Lands and Damages. Howbeit, if the Master of such Bailiffs afterwards offer to prove to the Court by matter of Record, that there was just Exception, whereby the Plaintiff might have been barred, he shall have a *Veni facias* to produce such Record: and then, if the Justices see cause, the Plaintiff shall be warned to appear at a certain day, and the Defendant shall then have again his Seisin and Damages, and the Plaintiff shall be punished by imprisonment at the discretion of the Justices. In like manner also shall the Justices proceed in case the Defendants proof is by Deeds or Releases; and if the Plaintiff purchased the Assise contrary to his own Deed, he shall be punished as aforesaid.

XI. The Sheriff shall not take an Ox of the Disseisee, but of the Disseisor onely, and but one Ox, though there be many Disseisors named in the Writ; and that Ox shall not exceed 5 s. in value. *Note that 5 s. then hath now the value of 15 s.*

XII. *Writ. 2. 45. 13. E. 1.* Where Common of Pasture hath been usurped during Nonage, Coverture, Tenancy in Dower, by the Courtesie, for Life, Years, or in Tail, it hath been holden, that such possessor of Common be deforced, he ought to have Action by Writ of *Novel disseisin*: it must now be holden, that such as have entered within the time that an Assise of *Mortdancestor* hath lain, they had no Common before, shall not recover by Writ of *Novel disseisin*, albeit they be deforced.

XIII. *Stat. de conjunct. feoffaris, 34 E. 1.* In an Assise of *Novel disseisin*, if Joynt-tenancy be pleaded by force of a Deed, upon the Plaintiffs averment against it, the Justices shall keep the Deed until the Trial, and in the mean time shall by *Scire facias* summon the absent Joynt-tenant to be present with the Defendant at the said Trial, and they shall there maintain the Plea, if they can. But if it shall then be proved by an Assise, that the Plea was maliciously alledged to delay the Plaintiff, albeit the Assise doth pass for the Defendants, yet he who pleadeth that Exception shall suffer one whole years imprisonment, and shall not be enlarged without grievous Fine. And if it be found by Assise, that the Plaintiff was disseised, he shall recover Seisin and double Damages, and the Trial shall go on, notwithstanding such Plea, and albeit neither of the pretended Joynt-tenants appear; howbeit Joynt-tenancy shall not be pleaded by Bailiff.

XIV. *Alia*

XIV. Also in Assises of Mortdanceshor, and *Juris utrum*, the like course shall be taken as in those of *Novel disseisin*.

XV. In other Writs likewise, whereby Tenants are demanded; save that in them the Damages are referred to the discretion of the Justices.

XVI. Stat. *Eborum*, 34 E. 2. 1. Tenants in Assise of *Novel disseisin* may make Attorneys, and may also plead by Bailiffs, as in times past.

XVII. Stat. 7 R. 2. 10. An Assise of *Novel disseisin* for Rents issuing out of Lands in divers Counties, shall be taken in *Confinio Comitatus*, as is used for Common of Pasture in one County appendant to Tenements in another.

XVIII. Stat. 1 H. 4. 8. A special Assise is maintainable by the Disseisee for such Lands as are granted by the Kings Patent, without Title first found by Inquest for the King, without Suit to be made to the King in that behalf; and if the Patentee pray in Aid of the King, a *Procedendo* shall be also granted without Suit.

XIX. Here if the Assise pass for the Disseisee, he shall recover treble Damages against the Patentee.

XX. Stat. 4 H. 5. 8. If any make forcible entry into Lands by way of maintenance, the Chancellor of England shall grant a special Assise without suing to the King: and if the Disseisor shall be attainted thereof, he shall suffer one whole years imprisonment, and receive double Damages to the party grieved.

XXI. Stat. 6. H. 6. 2. The pannels of Assises shall be arrayed, and an indented Copy thereof delivered by the Sheriff to the Plaintiffs, Tenants and Defendants, six days before the Sessions, if they demand the same; also Bailiffs of Franchises shall make their returns thereof to the Sheriff at the like time; upon pain to forfeit each of them, Sheriff or Bailiff, 40 l.

XXII. Stat. 11 H. 5. 2. In an Assise, if the Sheriff be named a Disseisor by Collusion, to the end the Writ may be directed to the Coroner, and the Assise secretly awarded by the Tenants default, upon the Plaintiffs averment thereof, and if it shall also be found by the Assise to be so, the Justices shall abate the Writ, and grievously amerce the Plaintiff.

XXIII. Stat. 21 H. 8. 2. The Plaintiff in Assise may abridge his Plaint of any part whereunto a bar is pleaded, without prejudice to the residue.

Attainder.

I. Stat. 12 Car. 2. cap. 30. An Act for the Attainder of several persons guilty of the horrid Murder of his late Sacred Majesty, King Charles the First. See the Act at large. Confirmed 13 Car. 2. cap. 7.

II. Stat. 13 & 14 Car. 2. cap. 29. An Act for reversing the Attainder of the Earl of Strafford. See the Act.

III. Stat.

III. Stat. 17 Car. 2. cap. 5. An Act for Attainting *Thomas Doman, Joseph Bampfild, and Thomas Scott*, of High Treason, if they tender not themselves by a day. See the Stat. at large.

Attaint.

I. West. 1. cap. 37. 3 E. 1. An Attaint is granted in Plea of Land, Free-hold, or any thing touching Free-hold.

II. Stat. *De attinctis*, 13 E. 2. In Attaint, if the first Jury which shall be living appear not at the first grand Distress, or be returned to have nothing, by their absence there shall be no delay made of the other Jury. See *Rast. Attaint* 2.

III. Stat. 1 E. 3. 6. In a Writ of Trespass, an Attaint shall be granted by the Chancellor without speaking to the King, as well upon the Principal as upon the Damages.

IV. In all cases of Attaints, the Justices shall not lett to take the Attaints for the Damages not paid.

V. Stat. 5 E. 3. 6. *Nisi prius* shall be granted in Attaints, before Essoin or Protection; and five days by the year shall be given before the Justices of the Common Bench at least.

VI. Stat. 5 E. 3. 7. Writs of Attaint shall be granted as well in Pleas of Trespass moved without Writ, as by Writ before Justices of Record, if the Damages adjudged do exceed 40 s.

VII. Stat. 28 E. 3. 8. An Attaint shall be granted as well upon a Bill of Trespass as upon a Writ of Trespass, without having regard to the quantity of the Damages.

VIII. Stat. 34 E. 3. 7. An Attaint shall lie as well in Plea real as personal, and it shall be granted to the Poor (who shall affirm that they have nothing whereof to make Fine saving their Countenance) without Fine, and to all others by easie Fine.

IX. Stat. 9. R. 2. 3. He in the Reversion shall have an Attaint or Writ of Error, upon a false Verdict found, or an Erroneous Judgment given against the particular Tenant.

X. If the Oath be found false, or the Judgment erroneous, and the Tenant still in life, he shall be restored to his Possession and Issues, and the Reversioner to the Arrearages: but if he be dead, he shall be found of Covin with the Demandant, the Reversioner shall have all: yet the Tenant may Traverse the Covin by *Scire facias* out of the Judgment or Writ of Attaint, if he please.

XI. Stat. 13 R. 2. 18. Upon a false Verdict given before the Mayor and Bailiffs of *Lincoln*, an Attaint shall be sued in the King's Bench or Common-Pleas, and the Jury shall be of the County of *Lincoln*, returned by the Sheriff of the said County.

XII. Stat. 3 H. 5. 5. By Letters Patents of H. 4. the name of *Bailiffs* of the City of *Lincoln* being translated to *Sheriffs*, lest it might be doubted which Sheriff ought to return the Jury in Attaint, the former Statute of 13 R. 2. 18. is explained and confirmed.

XIII. Stat. 11 H. 6. 4. The Plaintiff in Attaint shall recover against

against all the Jurors, Tenants and Defendants, the Costs and Damages which he shall sustain (by delay or otherwise) in that Suit.

XIV. Stat. 13 H. 6. No Sheriff, Bailiff or Coroner, in Writs of Attaint of Plea of Land, or of Deeds, concerning Lands of the yearly value of 40 s. or more, or of Goods or Chattels personal worth 40 s. or more, shall impanel any but such as inhabit within their Bailiwicks, and have Free hold or Inheritance (not ancient tenure, within the five Ports, or Gavel-kind) worth 20 l. per annum, and shall not return against them less Issues then 40 s. at the first Writ of Distress, 100 s. at the second, and double afterwards, upon pain to forfeit 100 l. to the King, and as much to the Plaintiff: and none but persons of that worth shall be impanelled upon Attaints, if challenge thereof be made by the Plaintiffs.

XV. If any of the Defendants plead a forein Plea, and fail thereby, the Justices shall give Judgment against them, as if the Grand Jury upon the Articles of the Writ had passed against them: howbeit, the rest of the Defendants shall not be prejudiced thereby; neither shall this Act extend to Cities or Boroughs.

XVI. If there shall not be in the County (under the Degree of a Baron) enough of that worth to fill the pannel, then shall the said officers impanel and return the most sufficient persons there under that worth, upon the like pain.

XVII. Stat. 18 H. 6. 2. Owners of Inheritance or Free hold lands in Gavel-kind of 20 l. per annum, may also be impanelled upon Attaints, notwithstanding the Statute of 15 H. 6. 5.

XVIII. Stat. 11 H. 7. 21. None shall be impanelled upon a Jury in London, except he have Lands and Tenements or Goods and Chattels worth 40 Marks: and if the Trial be for Lands, or Debt, or Damages amounting to 40 Marks, or above, his real or personal Estate shall be worth 100 Marks: and the Jurors defect herein is a principal Challenge.

XIX. The Issues of the Jurors for default of appearing shall be at the first Summons 12 d. at the second 2 s. and double afterwards: and the Issues lost in the Mayors Court shall accrue to the Mayor and Commonalty, and those lost in the Sheriffs Court to the Sheriffs.

XX. An Attaint may be sued by Bill in the Hustings of London, upon any false Verdict given in any of the Courts of that City: And thereupon the Mayor shall award a Precept to every Alderman to present (either by themselves or their Deputies) unto the said Mayor at the next Hustings, the Names of four indifferent and discreet Citizens out of each of their Wards, each of them being worth in Estate 100 pounds at least; out of which the Mayor and six Aldermen, or more, shall impanel 48, whom the Mayor shall cause to be summoned together with the Tenants or Defendants in the Attaint to appear at the next Hustings: and if upon default of appearance or otherwise there shall need a Tales, the pannel shall be supplied out of the rest presented, or by other such Citizens, at the discretion of the said Mayor and six Aldermen.

XXI. Pleas.

XXI. Pleas of Attaints commenced in London, shall be tried there by Inquests of the same City, and not elsewhere.

XXII. In an Attaint there, no Challenge shall be for lack of sufficiency in Estate.

XXIII. The Judgment in such an Attaint shall not extend to Lands or Tenements, nor yet to other punishment of the petty Jury or other Processes than such as are limited by this Act.

XXIV. In such an Attaint, if the petty Jury be attainted, Judgment shall be given against the Defendant, as at the Common Law and against the petty Jury; to forfeit each of them 20 l. or more at the discretion of the Court, to be employed as other penalties forfeited before them, and to suffer six months imprisonment, or less, at the like discretion of the Court, and to be for ever after disabled to be a Juror.

XXV. But if the Verdict be affirmed, the Grand Jury shall further enquire the corruption of the petty Jurors: and if any of them be found to have taken any reward, or promises thereof, he shall forfeit ten times the value thereof to the Plaintiff, and shall further incur imprisonment, and disability to be a Juror, as aforesaid. The like forfeiture also and imprisonment shall be inflicted upon the Tenant or Defendant that shall give such reward or promise, but this last forfeiture shall accrue to the City, in manner aforesaid.

XXVI. If a Debt, Costs or Damages are recovered in the first Action, (whereupon the Attaint is brought) and that Verdict found false, the Plaintiff in such Attaint may sue for restitution of such Debt, Costs, and Damages, by Writ, Bill or Plaint, in any of the Kings Courts, wherein no Wager of Law shall be admitted.

XXVII. In such an Attaint, if the Plaintiff be Non-suit, the first Verdict affirmed, the Plaintiff shall be imprisoned; and make Fine (to the use of the City) at the discretion of the Court.

XXVIII. Where there are one or more Plaintiffs, if any of them die, or be Non-suit, and albeit all the Tenants or Defendants, and some of the petty Jury die, yet shall not the Attaint abate, so that two of that Jury remain in life.

XXIX. The Grand Jurors that make default shall forfeit for the first 40 s. for the second 5 l. and for every other afterwards 10 l.

XXX. Such Process shall be made against the Jurors and Parties in this Attaint as is usually made in Attaints at the Common Law, and shall be returnable at every Hustings.

XXXI. The Attaint shall not remain to be taken after the first Summons for the default of the Tenant or Defendant, or any of the petty Jury; neither shall any Essoin be allowed in the same.

XXXII. When the Trial is to be *per medietatem linguæ*, the Mayor and Aldermen shall impanel half Strangers, worth an hundred a-piece.

XXXIII. Stat. 23. H. 8. 3. Upon every untrue Verdict before Judges of Record (except where the thing in demand extendeth not to the value of 40 L. or concerneth life) the party grieved shall have an Attaint against the petty Jury, and also against the party that hath the Jury thereupon.

XXXIV. The Processes here shall be Summons, Resummons, and Distress infinite, as well against the petty Jury and party, as against the Grand Jury, who shall be of the accustomed number, and have Lands of the yearly value of 20 Marks out of ancient Demesne.

XXXV. The Distress shall be awarded 15 days before the return thereof, and shall be made upon the Land of every one of the Grand Jury, as is used in other Distresses.

XXXVI. Albeit the Defendant, or petty Jury, or some of them appear not, yet the Grand Jury shall proceed.

XXXVII. If any of the petty Jury appear, the Plaintiff shall assign the false Serement, whereunto the petty Jury shall have no other answer (if they be the same persons, and the Writ, Processes, return and Assignment be good) but that they be made true Serement, which shall be Tried by 24 of the Grand Jury, unless the Plaintiff hath before been Non-suit, or discontinued his Suit, or Judgment against the same Jury for the same Verdict.

XXXVIII. Howbeit the Defendants may plead that they gave a true Verdict, or any other matter which may bar the Attaint: but notwithstanding such Plea, the Grand Jury shall nevertheless enquire whether the first Jury gave a true Verdict or no.

XXXIX. If the petty Jury be found to have given an untrue Verdict, they shall each of them forfeit 20 L. to be divided betwixt the King and the Plaintiff, and incur several Fines at the discretion of the Justices, and be ever after disabled to give Testimony in any Court.

XL. If the Defendants Plea in bar be found against him, the Plaintiff shall have Judgment to be restored to that he lost, with his reasonable Costs and Damages.

XLI. Outlawry or Excommunication shall be no Plea against the Plaintiff in Attaint; and in the aforesaid Process such day shall be given as in Dower, but no Essoin or Protection allowed.

XLII. If the Grand Jury appear not, so that the petty Juries Verdict remains untied, the Defaulters shall upon the first Distress forfeit 20 s. upon the second 40 s. and upon every default after 5 L. the like penalty is also to be inflicted upon the Takers.

XLIII. The Attaint is maintainable so long as any two of the petty Jurors are alive.

XLIV. An Attaint shall also lie for a personal thing under the value of 40 L. in manner aforesaid; save onely that in such case the Juror is to have Lands worth 5 Marks *per annum*, (out of Ancient Demesne) or to be worth an 100 Marks in Goods; and the forfeiture of each petty Juror shall be but 5 l.

XLV. For.

XLV. For want of sufficient Jurors in one County, a *Tales* shall be awarded into another County at the discretion of the Justices.

XLVI. An Attaint shall also lie for him in Reversion or Remainder. And also in Attaint if the Plaintiff be Non-suit, or discontinue the Suit, he shall be Fined at the discretion of the Justices.

XLVII. All Attaints shall be hereafter taken in the Kings Bench or Common-Pleas, and not elsewhere; and *Nisi prius* shall be granted upon the Distress at the discretion of the Justices: also any of the petty Jury may appear and answer by Attorney.

XLVIII. As concerning the Forfeitures, the several moieties shall be recovered by the King and parties respectively by *Ca. sa. Fi. sa.* or *Elegit*, or Action of Debt against each of the petty Jurors their Executors or Administrators, having then sufficient Goods the Testators not Administred.

XLIX. Judgment and Execution of restitution to the Plaintiff and of discharge of restitution to the Tenant or Defendant, shall be given and had as in case of a grand Attaint hath been used.

L. The Non-suit or release of one Plaintiff shall not prejudice his Companions.

LI. In every Writ of Attaint after the *Teste* these words shall be inserted, *Per Statutum continuatum usque annum 23 H. 8. Distinctia*, &c.

LII. This Act shall not be prejudicial to the Statute of 11 H. 2. but every man for any untrue Verdict in *London* may bring Attaint upon this or that, at his pleasure.

LIII. Stat. 37 H. 8. 5. Citizens of *London* being worth Marks in personal Estate may be impannelled and returned by Sheriffs of *London* upon Attaints there, albeit they have no Estates, notwithstanding the Statute of 23 H. 8. 3.

LIV. The Justices shall hereafter sit upon Attaints in *London Guildhall*, or some other convenient place in that City, and elsewhere: neither shall the Citizens there be compellable to appear upon any such Attaint in any other place, notwithstanding said Statute of 23 H. 8.

Attorney.

I. *Merron, cap. 10. 20 H. 3.* Every Free-man that oweth to the County, Tithing, Hundred or Wapentake, or to a Baron, may make an Attorney to do his Suit for him.

II. *West. 2. cap. 10. 13 E. 1.* Any person may make a general attorney to sue in all Pleas, during the Circuit of Justices in England, howbeit that shall not excuse the party from being put upon Judgment and Assises before the same Justices.

III. Stat. 7 R. 2. 14. They who shall depart the Realm without the Kings Licence, may before their departure have a Patent from the Chancellor (with the advice of the Justices) enabling them to make general Attorneys to answer for them in Writs of *Præsumptio*.

- and all other Writs and Plaints; in which Patent particular mention shall be made of Writs and Plaints of *Præmunire facias*: and those Attorneys may make Attorneys under them.
- IV. Stat. 4 H. 4. 18. All Attorneys shall be examined by the Justices, and by their discretion put into the Roll.
- V. Those that are by them approved, shall swear truly to serve their Offices, and to make no Suit in a forein County. An insufficient Attorney shall be put out by the like discretion of the Justices, and their Masters or Clients shall have notice thereof, lest they be prejudiced thereby.
- VI. As any die or cease, the Justices shall appoint others, being virtuous, learned, and sworn, as aforesaid.
- VII. If any Attorney be found notoriously in fault, he shall forfeit the Court, and be never admitted into any other Court.
- VIII. The Treasurer and Barons of the Exchequer shall pursue the like course there at their discretion.
- IX. Stat. 4 H. 4. 19. No Officer of a Lord of a Franchise which shall return of Writs, shall be an Attorney in the same.
- X. Stat. 7 H. 4. 13. Impotent persons that are Out-lawed may make their Attorney: Howbeit in the Writ of *Capias ad satisfaciendum* the Common Law shall still hold place.
- XI. Stat. 33 H. 6. 7. There shall be but six common Attorneys in Norfolk, six in Suffolk, and two in Norwich, if that shall seem reasonable to the Justices. *But it seems the Justices did not think it reasonable, because this Act was never yet put in ure.*
- XII. Stat. 32 H. 8. cap. 30. Every Attorney shall enter his warrant of Attorney in every Suit upon Record in Court, on pain of 10 l. and further punishment by imprisonment at the discretion of the Court.
- XIII. Stat. 3 Jac. 7. An Attorney, Solicitor, or Servant to any Attorney, shall not be allowed any Fees laid out for Counsel or otherwise, unless he have Tickers thereof signed by the Hand of them that receive such Fees; and he shall also give unto his Client true Bills of all the Charges of Suit under his own Hand, before he can charge his Client with the payment thereof.
- XIV. If he delay his Clients Suit for gain, or demand by his Bill more than his due Fees and Disbursements, the Client shall recover against him his Costs and treble Damages, and he himself shall be forever after disabled from being an Attorney or Solicitor any more.
- XV. None shall be admitted Attorneys in Courts of Record, but such as have been brought up in the same Courts, or otherwise well exercised in soliciting of Causes, and also skilful and of honest disposition: and none but such shall be hereafter suffered to solicit Causes in any Court.
- XVI. An Attorney shall not admit any other to follow a Suit in his name, in pain that each of them shall forfeit 20 l. to be divided between the King and party grieved.

Avowry.

I. Stat. 21 H. 8. 19. Upon a Replevin sued, an Avowry may be made by the Lord, or Conuſance, and juſtification by his liſſ, or ſervant, upon the Land holden of the ſaid Lord, with naming any perſon certain to be Tenant thereof. The like Law alſo upon every Writ ſued of ſecond deliverance.

II. In any *Replegiare* or ſecond deliverance for Rents, Cuſtoms, Service, or Damage Feaſant, if the Avowry, Conuſance or juſtification be found for the Defendant, or the Plaintiff be Non-ſuit, or otherwiſe barred, the Defendant ſhall recover ſuch Damages and Coſts the Plaintiff ſhould have had if he had recovered.

III. Both parties ſhall in ſuch Writ have like Pleas, Aid-prayers and Joinders in Aid, as at Common Law, notwithstanding the Act; Pleas of *Disclaimer* onely excepted.

IV. Stat. 17 Car. 2. cap. 7. When a Plaintiff ſhall be Non-ſuit before Iſſue in any Suit of Replevin, removed or depending in any of the Courts at *weſtminſter*, the Defendant making Suggeltion in nature of an Avowry for Rent, the Court, upon his Prayer ſhall award a Writ to the Sheriff to enquire of the Sum in arrear, and value of the Diſtreſs, whereupon notice of 15 days ſhall be given to the Plaintiff or his Attorney in Court, of the fitting of ſuch Enquiry, upon return of which Inquiſition, the Defendant ſhall recover the Arrears, if the Diſtreſs amount to that value, elſe the value of the Diſtreſs with Coſts, and ſhall have Execution thereupon by *facias* or *Elegit*, or otherwiſe as the Law ſhall require.

V. If ſuch Plaintiff be Non-ſuit after Avowry and Iſſue joyntly, or if the Verdict be againſt him, the Jury at the Defendants Prayer ſhall enquire *ut ſupra*, and the Avowants recover *ut ſupra*.

VI. If Judgment be upon Demurrer for ſuch Avowant, the Court at the Defendants Prayer ſhall award a Writ to enquire the value of the Diſtreſs, whereupon he ſhall have Judgment *ut ſupra*.

VII. Where the Diſtreſs ſhall not be found to be to the value of the Arrears, the Party may Diſtrain for the reſidue.

VIII. Stat. 19 Car. 2. cap. 5. The Act of 17 Car. 2. cap. 7. ſhall be of force in all Cauſes of Replevin in the Court of Common Pleas for the County Palatine of *Lancaſter*, the Court of the Great Sessions of *Wales*, the Court of the Great Sessions for the County Palatine of *Cheſter*, and the Court of Common-Pleas for the County Palatine of *Durham*.

Banks.

I. Magna Charta, 9 H. 3. 15. No Town or Free-man ſhall be Diſtrained to make Bridges or Banks, but ſuch as of old time have uſed to make them in the time of King Henry the Grandfather.

II.

Magna Charta, 9 H. 3. 14. No Banks shall be defended henceforth, but such as were in defence in the time of King Henry our Grandfather, by the same places and bounds as in his time.

III. Stat. 27 Eliz. 24. Justices of Peace in *Norfolk* shall take order for the repair of Sea-banks and Sea-works within the same County.

IV. Every person shall be charged towards the repair of Sea-banks, as they are chargeable towards High-ways.

V. The High-Constables shall be Surveyors of that Work.

VI. Those charged towards Sea-works shall be discharged towards the amendment of High-ways.

Bankrupts.

I. Stat. 34 H. 8. 4. The Lord Chancellor, Treasurer, &c. shall take order with the Bankrupts Bodies, Lands and Goods, for the payment of their Debts. But this was altered by the ensuing Statutes.

II. Stat. 13 Eliz. 7. If any person (Subject or Denizen) exercising Trade doth depart the Realm, conceal him or her self, take Sanctuary, suffer him or her self to be Arrested, Outlawed or imprisoned without just cause, to the intent to defraud Creditors, being also Subjects born, he shall be deemed a Bankrupt.

III. The Lord Chancellor or Keeper, upon a Complaint in Writing against any such Bankrupt, may appoint honest and discreet persons to take such order with the Body of such Bankrupt, where-ever found, and also with the Lands (as well Copy as Free,) Hereditaments, Annuities, Offices, Writings, Goods, Chattels, and Debts, wheresoever known, which the Bankrupt hath in his own right, with his Wife, Child, or Children, or by way of Trust to any other use; and to cause the said Premises to be searched, rented, appraised, and sold, for the payment of the Creditors rateably according to their Debts, as in the discretion of such Commissioners (the most part of them) shall be thought fit.

IV. The Vendees of Copyhold-Lands shall compound with the said Bankrupts for their Fines, and then shall be admitted, and make Fealty according to the Custom of the Manor.

V. Such of the Commissioners as execute the Commission shall upon the Bankrupts request) render him an account, and also the surplus (if any be) unto him, his Executors, Administrators, or assigns.

VI. The Commissioners have power to convene before them any person accused or suspected to have any of the Bankrupts Goods, Chattels or Debts, to be indebted unto him, and for discovery thereof, to examine upon Oath or otherwise, as they (or the most of them) shall think fit.

VII. The person refusing in that behalf to disclose or swear, shall

forfeit the double value of the Goods, Chattels or Debts so con-
ced, to be ordered and employed by the Commissioners, or the
part of them.

VIII. The person demanding or detaining any of the Bank-
Lands, Goods, Chattels or Debts, (not justly due) shall forfeit
double value, to be levied, recovered and employed as aforesaid.

IX. If after all the Creditors are paid out of the Bankrupt
Estate, and the Forfeitures, any surplusage shall remain, it shall
by the Commissioners divided betwixt the Queen, her Heirs and
Successors, and the Poor of the Place where such Bankrupt hap-
pens to be.

X. If any person indebted absent himself from his usual Place
of abode; upon complaint, the Commissioners (or the most
part of them) shall award five Proclamations to be made upon five
sundry Market-days near the said Place, commanding him to render
himself to the Commissioners, or one of them; which if he do not
within convenient time, he shall be adjudged out of the Queen's
Protection: and the Party wittingly receiving or concealing him
shall (upon information of the Commissioners, or the most part of
them) suffer such Imprisonment, and pay such Fine, as the Lord
Chancellor or Keeper shall think fit.

XI. The Creditor not fully satisfied by this means, may (not-
withstanding this Act) take his course at Law against the Bankrupt
for the residue of his Debt.

XII. The Estate which happeneth to the Bankrupt by Purchase
or Descent after he becomes a Bankrupt, shall also be extendable
by the Commissioners, or the more part of them.

XIII. This Act shall not extend to annual Estates of Land (Free-
hold or Copy) by him conveyed before he became Bankrupt, so that they
were so conveyed *bona fide*, and not to such as were privy to the
fraudulent purpose.

XIV. Stat. 1 Jac. 15. Every Subject born, or Denizen, who
using Trade shall depart the Realm, keep House, absent him or her-
self, take Sanctuary, suffer him or her self to be Arrested for Debt
not justly grown due, to be Outlawed, Imprisoned, fraudulently
procure his Person to be Arrested, or Goods Attached, depart
from home, make any fraudulent Grant of Lands or Goods, with
intent to deceive his other Creditors, being Subjects born, or being
Arrested lie in Prison six Months or more, shall be adjudged
Bankrupt.

XV. The Bankrupt hereby described shall be proceeded against
as is limited by the Stat. of 13 Eliz. 7. in like manner as if he had
been there so fully described.

XVI. Any Creditor shall be received to take his part, if he come
in within four months after the Commission sued out, and pay his
part of the Charge; otherwise the Commissioners may proceed to
Distribution.

XVII. If a Bankrupt grant his Lands or Goods, or transfer his

into other mens Names, except to his Children upon Marriage, (they being of age to consent) or upon valuable consideration the Commissioners may (notwithstanding) sell them, and such sale shall be good.

XVIII. If upon warning in Writing left three times at the most usual Place where he dwelt within one year before he became bankrupt he appear not before the Commissioners, they may cause him to be proclaimed at some publick Place or Places : and if upon such Proclamations he yield not himself, they shall by Warrant cause him to be brought before them to be examined concerning his Estate, &c.

XIX. If the Bankrupt shall refuse to be examined, the Commissioners shall commit him until he conform : or if being examined he commit perjury in prejudice of the Creditors to the value of £ 1. or more, he shall be Indicted for the same, and after conviction stand upon the Pillory, and have one of his Ears nailed thereto, and be set off.

XX. If any person be known or suspected to detain any of the Bankrupts Estate, and do not appear or send some lawful Excuse at the next Meeting after warning given him, or, appearing, refuseth to be examined upon Oath, the Commissioners by Warrant shall cause him to be Arrested, and if he still refuse, shall commit him until he submit.

XXI. The Witnesses shall have convenient Charges allowed them rateably by the Creditors ; and such of them as shall be perjured, and their procurers, shall be Indicted upon the Statute of *Eliz.* 9. which see in *Perjury*.

XXII. The Forfeitures of this Act shall be recovered by the Creditors, and (the Costs of Suit deducted) shall be rateably divided amongst them.

XXIII. The Commissioners have power to assign the Bankrupts Estate to the Creditors, and by such Assignment they shall be recoverable by the Creditors, as their proper Debts.

XXIV. No Debtor shall be prejudiced by payment of his Debt to the Bankrupt, before he have notice that he is Bankrupt.

XXV. The Commissioners shall make such Account to the Bankrupt, and likewise pay him the overplus, as by *13 Eliz.* 7. is ordered ; and the Creditors being all satisfied, the Bankrupt may recover the remaining Debts.

XXVI. If any of the Commissioners, or other person employed by them, be sued for any act done by force of the Commission, the Defendant may plead *Not-guilty*, or justify, and the whole matter shall be brought in Evidence, according to the very truth thereof ; and if the Verdict pass for the Defendant, he shall have his Costs.

XXVII. The Commissioners shall proceed to Execution notwithstanding the death of the Bankrupt.

XXVIII. Stat. 21 Jac. 19. All Laws made against Bankrupts shall be beneficially construed for the Creditors.

XXIX. All persons of Trade, and Scriveners that procure Auction, (except of Parliament) and all such as by exhibiting fictitious endeavour to compel their Creditors to take less than the due Debts, or to gain time for the payment thereof, or being debted in 100*l.* or more, shall not satisfy the same within months after the same grows due, and the Debtor arrested, or within six months after the original Writ sued out, and notice given thereof, or left in Writing at the Place of his abode, or after any six months in Prison, or escape out of Prison, or procure enlargement by putting in common Bail, shall be adjudged a Bankrupt; and in case of Arrest or Imprisonment, from the time of Arrest.

XXX. Commissions and other Proceedings provided by 13 Ed. and 1 Jac. 15. shall be also pursued against him that is described to be a Bankrupt by this Act; and Proceedings provided by this Act shall be pursued against him that is described to be a Bankrupt by 13 Ed. and 1 Jac. 15.

XXXI. The Bankrupts Wife shall also be examined upon Oath, and if she appear not, or refuse to be examined, she shall incur punishment inflicted by the former Laws in like cases.

XXXII. The Bankrupt that fraudulently concealeth his Goods, or rendreth not some just reason why he became Bankrupt, shall after conviction be set upon the Pillory, and lose one of his ears.

XXXIII. The Commissioners may by themselves or others break open the Bankrupts House, Chests, &c. where his Estate or is reputed to be, and then seize and order his Body and Estate, as by the Law is ordained.

XXXIV. In the distribution of the Bankrupts Estate, no respect shall be had unto the Debts upon Judgment, Recognizance, Specialties with Penalties, or the like, then to other Debts.

XXXV. The Commissioners may proceed, when the Bankrupt by fraud makes himself Accomprant to the King.

XXXVI. Another mans Goods in the Bankrupts possession or disposition, shall be also distributed by the Commissioners, as the Bankrupts own Goods.

XXXVII. The Commissioners Grant of the Bankrupts Enfeoffed Lands shall be good, except when the Reversion or Remainder is in the King.

XXXVIII. Conditional Estates granted by the Bankrupt may be redeemed by the Commissioners, and afterward sold as his own Estate.

XXXIX. No Purchaser shall be Impeached by this or the former Act, unless the Commission be sued forth within five years after he becomes Bankrupt.

XL. This Act, as also the former, shall extend to Strangers, (Aliens and Denizens) as well as to Subjects born, as well to be believed, as also to be subject to the Penalty thereof.

XLI. Stat. 13 Ed. 1 & 14 Car. 2. cap. 24. None that adventure in

East-India or Guinea Company, or put Money into any Stock for carrying on the Fishing Trade, and receive their Dividend in Goods, which they sell or exchange, shall by reason thereof onely be liable to the Statutes of Bankrupts.

Barwick.

I. Stat. 22 E. 4. 8. Merchandise carried into or brought out of Scotland, or the Isles thereof, shall be first brought to Barwick, in pain to forfeit the same.

II. The Burgesses and Free-men of Barwick onely shall have the selling of all Salmon taken in Tweed. And the Merchants and Free-men there shall have the Farm of the Waters Royal and Fishings within the Seigniorie there.

III. Stat. 1 Jac. 28. An Act for the Liberties of Barwick.

Bastardy and Bastards.

I. Hertton, cap. 9. 28 H. 3. A Child born before Marriage is a Bastard, albeit the common Order of the Church be otherwise.

II. Stat. 9 H. 6. 11. No Writ shall be awarded to the Ordinary to certifie Bastardy, before three Proclamations be made in Chancery in three months, viz. once every month, that all persons who have any thing to object against the Parry for Bastardy shall sue the Ordinary for that purpose.

III. Stat. 18 Eliz. 3. The two next Justices (i. 24.) may take order as well for the punishment of the Mother and reputed Father of a Bastard-Child, as also for the relief of that Parish where it is born, by charging the said Mother and Father with the maintenance thereof by payment of Money weekly, or otherwise.

IV. If the Mother and Father perform not the Justices Order therein, they shall suffer Imprisonment without Bail, except he, or they give Security to perform it, or else to appear the next Quarter Sessions, and also to abide the Order of the greater part of the Justices there, if any shall be there made; if not, then to perform that made by the two Justices.

V. Stat. 7 H. 4. Justices of Peace shall commit to the house of Correction lewd Women which have Bastards that may be chargeable to the Parish, there to be punished, and set on work the whole year: and if they offend again, they shall not be enlarged without giving good Security to offend no more.

VI. Stat. 21 Jac. 27. It shall be Murther for a Mother to conceal the death of her Bastard-Child, unless she can prove by one witness (at least) that it was still born.

VII. Stat. 3 Car. 4. All Justices of Peace within their several Limits and Sess. may do and execute all things concerning that Stat. 18 El. 3. which concerns Bastards, that by the Justice of Peace the several Countiees are by the said Statute limited to be done.

VIII. Bastards maintenance by the putative Fathers and Mothers. See Title Poor.

Battail and Grand Assise.

I. *West.* cap. 40. 3 E. 1. Part of the Oath in a Writ of Right or the Demandants Champion, expunged.

Beaupleader.

I. *Werton*, cap. 11. 52 H. 3. *West.* 1. cap. 8. 3 E. 1. and 1 E. No Fines shall be hereafter taken in Circuits, Counties, Hundreds or Court-Barons, for fair Pleading.

Beer, Ale and Mum.

I. *Stat.* 22 & 23 Car. 2. cap. 13. It shall be lawful to Export and Ship off in the presence of a sworn Gauger or other sworn Officer to be appointed by the Farmers, Commissioners, or Surveyors Commissioners of Excise, upon notice given at the Office of Excise, within the Limits whereof they were Brewed, or the Place whence they shall be Shipped, Ale, strong Beer or Mum, paying *per Tun*, and no other Duty. Which Gauger or Officer shall certify the quantity Shipt off, to the Commissioners and Officers of Excise where Entry thereof shall be made: who shall make allowance or repay the Excise thereof, deducting 1 s. *per Tun*, for the Officers charges.

II. They that shall cause any of the said Liquors to Shipt off to be unladen or put into any other Vessel in *England, Wales*, or Town of *Barnwick*, shall forfeit the same, and 100 l. for every Cask, of which one moiety to the King, the other to the Prosecutor.

III. The Officers of the Customs shall charge Masters of Ships in their Victualling-Bills with so much of the said Liquors, as the number of Men use to spend in such Voyages.

IV. The Rate of 1 s. *per Tun* for the said Liquors Exported shall be paid under such Penalties as by the Laws of Tunnage and Poundage.

V. No Mum Imported shall have any part of the Customs Excise repaid upon Exportation.

VI. This Act shall continue six years from the 26th of June 1671, and to the end of the next Session of Parliament.

VII. Continued by the Statute of 29 Car. 2. cap. 2. for 10 years from the end of that Session.

Bishops and Bishopricks.

I. *Stat.* 1 E. 3. *Stat.* 2. cap. 2. The King shall not cause to be seized into his hands the Temporalities of any Bishop.

II. Stat.

- II. Stat. 14 E. 3. Stat. 3. *pro Clero*, cap. 3. The Temporalities of Bishops or other people of Holy Church, shall not be seised into our hands without a just cause.
- III. Stat. 25 E. 3. Stat. 3. *pro Clero*, cap. 6. A Bishops Temporalities shall not be seised into the Kings hands for a Contempt, but he shall hereafter in such case pay a reasonable Fine.
- IV. Stat. 26 H. 8. 14. *Thetford, Ipswich, Colchester, Dover, Guildford, Southampton, Taunton, Shaftsbury, Molton, Marlborough, Bedford, Leicester, Gloucester, Shrewsbury, Bristol, Penreth, Bridgewater, Nottingham, Grantham, Hull, Huntington, Cambridge, Bereth, Barwick, St. Germans in Cornwall, and the Isle of Wight*, shall be Sees of Bishops Suffragans, and the Bishops of such Sees shall be Suffragans of this Realm.
- V. The Bishop shall by Petition present to the King two persons to be his Suffragans, whereof the King shall allow one, who shall thereupon be called Bishop-Suffragan of that See, and shall by the Kings Letters Patents be presented to the Archbishop of the respective Province to be Consecrated to the Dignity of that Office, which the Archbishop shall do within three months after the rectification of such Letters Patents.
- VI. The Suffragan shall not exercise any greater Authority, nor make any other benefit, than what is limited unto him, by Commission from the Bishop of the Diocese, in pain to incur a *Præbendæ*.
- VII. The Suffragan himself, or the Bishop that presents him to the King, shall at their own Costs provide two Bishops or Suffragans to Consecrate the Suffragan with the Archbishop.
- VIII. The Suffragans Residence over the Diocese shall be sufficient for his Benefice, and a Suffragan may have two Benefices with Cure.
- IX. Stat. 1 E. 6. 2. The Writ of *Conge d' eslire* ousted, and none but the King (by Letters Patents) shall Collate to an Archbishoprick or Bishoprick.
- X. An Archbishop, Bishop or Suffragan Collated by the King, shall pay all usual Fees.
- XI. All Process Ecclesiastical shall be in the Kings Name, but the *Teste* in the name of the person having Ecclesiastical Jurisdiction; and when they issue from the Commissary, Official, or other Substitute, he shall subscribe his Name after the *Teste*.
- XII. The Seal of Office belonging to any such person, shall have the Kings Arms engraven upon it, with Characters under them to signify the Diocese, and he shall not use any other Seal, in pain of Imprisonment during the Kings pleasure.
- XIII. Provided, that no more or other Fees be taken for such Seal than as before; and that the Archbishop of *Canterbury* may use his own Seal and Name for Faculties and Dispensations, according to the Statute of 25 H. 8. 21. and also that Archbishops and Bishops may

may make and order their Substitutes, and may also issue Commissions of Suffragans, Certificates to the Court of Tenches, Collations, Presentations, Gifts, Institutions, Inductions, Letters of Order or Dimissories, under their own Names and Seals, as in times past.

XIV. Certificates into a Court of Record shall be in the Kings Name, under the Bishops Seal, engraven with the Kings Arms, as aforesaid, *Teste* the Bishop.

XV. *But note that this Statute was Repealed by 1 M. 2. and that Act of M. is afterwards Repealed by 1 Jac. 25. Yet quære whether that Statute 1 E. 6. 2. be now in force.*

XVI. Stat. 3 E. 6. 1. The Form of Consecrating Bishops and Priests, is established, being comprised in a Book compiled by six Prelates, and six other appointed by the King: which Statute see in *Service and Sacraments*.

But note that this Act was also Repealed by 1 M. 2. as the other next before.

XVII. Stat. 1 & 2 Phil. & Mar. All Bishops are confirmed Which see in *Rome*.

XVIII. Stat. 8 Eliz. 1. The Statute of 1 Eliz. 1. touching the Book of Common Prayer and Administration of the Sacraments is confirmed.

XIX. The Statute of 5 & 6 E. 6. 1. touching the Form of Consecrating Archbishops and Bishops, and the making Priests, Deacons, and Ministers, and all acts done concerning the Consecrating of Bishops by force of the Queens Commission, are also confirmed.

XX. Provided, that no person shall be Impeached by any Certificate of any Bishop heretofore made, touching the Oath of Supremacy made 1 Eliz. 1.

XXI. What Leases made by Bishops be good, see Title *Leases* Num. IX.

XXII. Stat. 39 Eliz. 8. Deprivations of Bishops and Deans in the beginning of the Queens Reign, shall be good; and such as have been made since the Queens time, shall be lawful.

XXIII. Stat. 1 Jac. 3. All Assurances of Bishops Lands to the King, shall be void.

See Title Courts and Jurisdictions Ecclesiastical.

Books and Images.

I. Stat. 25 H. 8. 15. None shall buy Books to sell again which are brought from beyond Sea ready bound, in pain to forfeit for every Book 6 s. 8 d.

II. None shall buy of a Stranger (that is no Denizen) any Printed Books brought from beyond Sea, except in gross, upon the like pain.

III. The

III. The Forfeitures shall be Levied of the Buyers, and divided betwixt the King and the Prosecutor.

IV. The Prices of Books increased to unmeasurable Rates, shall be qualified by the Chancellor, Treasurer, and two Chief Justices, for any two of them.

V. Stat. 3 & 4 E. 6. 10. Popish Books are abolished, and Images taken out of, or yet remaining in Churches, shall be destroyed. But quære whether this Statute be in force, because Repealed by 1 M. 2. For albeit 1 M. afterwards be Repealed by 1 Jac. 25. yet because the Statute of E. 6. was once Repealed, and not since Revived by special words, it may be doubted whether it be now in force.

VI. Stat. 14 Car. 2. cap. 33. An Act for preventing Abuses in Printing Seditious, Treasonable and Unlicensed Books and Pamphlets, and for regulating of Printing and Printing Presses. Expired.

Bows and Bow-slaves.

I. Stat. 12 E. 4. 2. Four Bow-slaves shall be brought into this Realm for every Tun of Merchandise brought in by any Merchant-Stranger from any Place from whence Bow-slaves have been formerly brought, in pain of 6 s. 8 d. for every Bow-slave whereof default is so made.

II. Search and Survey shall be made of such Bow-slaves by the Head-Officer where the Ship, &c. Lands, who shall have power to appoint Officers for that purpose.

III. Stat. 1 R. 3. 11. Ten Bow-slaves shall be brought into this Kingdom for every But of Malmsey or Tyre, in pain of 13 s. 4 d. for every Tun.

IV. Bow-slaves shall not be sold ungarded, but to a Subject Born.

V. Stat. 8 Eliz. 10. A Bowyer dwelling in London, or the Suburbs, shall have always ready fifty Bows of Elm, Witch-hazel, or Ash, well made and wrought, in pain of 10 s. for every Bow failing of that number, to be divided betwixt the King and the Prosecutor, who must be an Armourer, Fletcher, or Bow-string-maker.

VI. No Bowyer shall sell a Bow of outlandish Elm of the best sort for above 6 s. 8 d. of the second sort above 3 s. 4 d. and of the worst sort above 2 s. nor one made of English Elm above 2 s. in pain to forfeit for every Bow otherwise sold, 40 s. to be divided betwixt the King, and any of the aforesaid Artificers that will sue for the same.

* VII. Stat. 13 Eliz. 14. The Statute of 12 E. 4. confirmed.

VIII. All Merchant-Strangers bringing Wares from the East Parts, as well as from the 27 Hanse-Towns, shall be bound by the said Statute of 12 E. 4. 2. under the pains therein contained, to be divided betwixt the King and the Prosecutor,

Wass,

Brass, Laten, Copper, Bell-metal, Pewter, &c.

* I. Stat. 19 H. 7. 6. None shall sell or change Brass, save only in open Fairs and Markets, or in their own Houses, (except they be desired by the Buyer of such Wares) in pain of 10 l.

II. None shall cast or work Brass or Pewter, but according to the goodness of Metal wrought in *London*, in pain to forfeit the one moiety thereof to the King, and the other to the Finder.

III. Hollow Ware of Pewter, called Lay-metal, shall be wrought after the Assise of Lay-metal in *London*, and shall be marked, in pain to forfeit the said Wares, or (being sold) the price thereof which shall be divided as aforesaid.

IV. None shall use (in the selling of Brass or Pewter) any false Beams or Weights, in pain to forfeit 20 s. to be divided as above and in case he be not able to pay it, he shall be (by the Head-Officer) committed to the Stocks till the next Market-day, and then stand upon the Pillory.

V. Searchers of Brass and Pewter in every City and Borough shall be appointed by the Head-Officers of the same, and in every County by Justices of Peace, at their *Mich.* Sessions; and in default of Searchers in Cities and Boroughs, any other persons (skilful in that Mystery) by oversight of the Head-Officers may take upon him the search of defective Brass, which shall be equally divided as aforesaid.

VI. Stat. 4 H. 8. 7. The Statute of 19 H. 7. 6. is confirmed. And besides, it is Enacted, that in Cities and Boroughs search of defective Tin and Pewter, shall be made by the Wardens of the Craft of Pewterers; and in Towns where no Wardens are, Searchers shall be appointed by the Head-Officers there: which said defective Ware shall be forfeited, and divided as in the former Statute.

VII. Stat. 25 H. 8. 9. None shall buy, or take by way of exchange, any Wares made of Tin or Pewter out of the Realm, in pain to forfeit them, and also the value thereof in money.

VIII. Officers may search and seise Wares brought into this Realm, contrary to this Act.

IX. No Stranger born shall work any Pewter or Tin in *England*, in pain to forfeit the same.

X. No Pewterer shall teach his Trade in a forein Nation, in pain to lose the Priviledge of an *Englishman*.

XI. Liberties and Placards to wandring Braziers and Pewterers, shall be void.

XII. The Penalty of 10 l. mentioned in 19 H. 7. 6. and those likewise of this present Act, shall be equally divided betwixt the King and the Finder.

XIII. Stat.

XIII. Stat. 33 H. 8. 4. The Statute of 25 H. 8. 9. is made perpetual.

XIV. None shall withstand the search of Brass, Tin, Pewter, &c. in pain of 5 l. to be divided as in the former Statute.

XV. Stat. 33 H. 8. 7. None shall convey out of this Realm Brass, Copper, Laten, Bell-metal, Pan-metal, Gun-metal, or Shroot-metal, clean and mixed, (Tin and Lead onely excepted) in pain to forfeit the double value, to be divided betwixt the King and the prosecutor.

XVI. The Landing thereof in Forein Parts, shall be Tried and determined in the County where it was Shipped.

XVII. None shall Transport such Metal from one part of the Realm to another, before he hath acquainted the Customer where the Ship is, with true weight thereof, and also given him Bond to the Kings use, of the double value thereof, with Condition to Land in some part of the Realm, in pain to forfeit the same, in manner and form aforesaid; and shall also, within eight months after, bring from the Customer of the Place where he Lands it, a Certificate of the Landing thereof, which Customer shall give him or his Factor such Certificate without delay.

XVIII. The false Customer that makes a false Certificate in such case, shall lose his Place, and the value of the Goods so concealed.

XIX. If the Goods be diminished by Tempest, Enemies, or Pirates, upon due proof thereof made to the Customer by the party, his Executor, or, &c. his Bond shall be re-delivered, or otherwise discharged.

XX. Stat. 2 & 3 E. 6. 37. The Penalty 10 l. for every thousand weight is added to the Forfeiture of the double value of Metal Transported contrary to the Statute of 33 H. 8. 7.

XXI. Also 10 l. for every thousand weight shall be added to the double value of the Goods, and the total thereof put into the Bond to be made to the Customer, according to the Statute of 33 H. 8. 7. such Bond if it want a Date, the Customer shall forfeit his Place, and the value of the Goods Shipped.

XXII. If any Officer of the Ship suffer any such Metal to be Shipped, and not disclose it within three days, he shall forfeit the double value thereof; or if any Customer or Searcher, having notice thereof, do not seise it to the Kings use, he shall lose his Office, and the value of the Metal.

XXIII. None shall lade such Metal but where there is a Customer, in pain to forfeit 10 l. and the Metal.

XXIV. The Forfeitures are to be divided betwixt the King and the prosecutor.

XXV. The Statute of 33 H. 8. 7. in all Points not altered by Act, is confirmed.

Breakers

Breakers of Leagues and Truce.

I. Stat. 2 H. 5. 6. In every Port (beside the Cinque-Ports) there shall be a Conservator of the Truce, worth in Land 40 l. *annum* at least, who by the Kings Letters Patents and the Admirals Commission, shall have power to enquire of (by Inquest) and inflict punishment for Offences done upon the Sea against Truce and safe Conducts, in like manner as the Admirals have heretofore used to do: howbeit, the death of a Man is reserved to the Admiral.

II. The Conservator hath power to award Processes against Offenders, (*viz. Capias* and *Exigent*) wherein the Additions of the Parties Indicted shall truly be inserted; and also by himself or his Lieutenant to hear and determine Differences betwixt Party and Party concerning Truce and safe Conducts.

III. The Conservator shall have two Men Learned in the Law joyned in Commission with him as his Associates, and both he and they shall be sworn to take no Fee, Gift, &c. save of the King only; and if any be offered them, that they forthwith discover to the King or his Chancellor, in pain of Imprisonment and Fine.

IV. The Conservator shall be resident upon the Place where he is appointed Conservator, and shall have for his Fee 40 l. *per annum* at least, and a Seal of the Kings proper for his Office.

V. Every Master of a Ship (and Owner too, if he be present) shall before he departs the Ports, be sworn before the Conservator not to attempt any thing against the Truce; and the Conservator shall Record the Name of such Master and Owner, and also of the Ship, together with the number of the Mariners, and if they take any thing from the Enemy, the Conservator shall be acquainted thereof with before Discharge or Sale, if for some reasonable cause the Ship be entred not some other Port; then they must procure from the Conservator there a Testimonial under Seal of the Goods taken, and their value, to be shewed to the Conservator of the Port from whence they first came. And all this they must do, in pain to forfeit the Ship, and suffer Imprisonment until they make Fine and Ransom to the King.

VI. Provided, that no Possessor of a Ship shall suffer Imprisonment, or make Fine, unless he was present in the Ship when the Offence was committed.

VII. The Admiral shall have all Forfeitures out of the Cinque-Ports, as before hath been used.

VIII. Conservators to be made within the Cinque-Ports by the Kings Letters Patents, and the Wardens Commission shall also have like power within that Franchise, and the Wardens shall have the Forfeitures there, as in times past. Howbeit the death of a Man is reserved to the Warden.

IX. Stat.

IX. Stat. 4 H. 5. 7. If any with whom Truce is broken at Sea complain thereof to the Keeper of the Privy Seal; he shall have Letters of Request under the Privy Seal, and if thereupon the Offender makes not Restitution, he shall have Letters of Mart granted him under the Great Seal.

X. Stat. 14 E. 4. 4. The former Statutes are confirmed.

Bridges.

I. Stat. 1 H. 8. cap. 9. An Act for *Stanes Bridge, Comit. Middlesex.*

II. Stat. 8 H. 6. 28. An Act for making *Burford and Culhamford Bridges.*

III. Stat. 22 H. 8. 5. Four Justices (1 Qu.) shall in Sessions enquire, hear and determine the Annoyances of Bridges, and of the High-ways adjoyning within 300 Foot next unto the said Bridges; and shall also charge such as should repair them, by sending forth Processess, and setting Pains, as they shall think fit.

IV. When it cannot be known what Precinct shall repair a Bridge or Way, they shall be repaired by the County, Riding or Corporation, within which they are situate: and if they happen to be situate in two of such Precincts, the Inhabitants there shall repair the several parts respectively.

V. The said four Justices have power to call before them the Constables, or two able Men, of every Parish, and by their assent to make a Tax, and to appoint Collectors to Levy the same by Distress and Sale, and also to appoint Surveyors of such decayed Bridges and Ways, unto whom the Collectors shall pay the Money Levied; which said Collectors and Surveyors shall render an Account unto the said Justices, upon pain of Imprisonment without Bail.

VI. The Justices may in this case send Process out of their Jurisdiction, which the Officers to whom it is directed shall obey and serve, in pain to be Fined by the said Justices.

VII. This Act shall not extend to the five Ports, nor to the Members of the same: save onely that their Officers shall have such power to reform Annoyances of Bridges and Ways there, as the Justices of Peace have elsewhere by force of this Act.

VIII. The Justices shall allow to the Collectors and Surveyors their reasonable Charges.

IX. Stat. 18. Eliz. 17. A good Law for the maintenance of *Wobesfer Bridge in Kent.* See the Statute.

X. Stat. 18 Eliz. 20. An Act for the repair of Bridges and High-ways within one mile of *Oxford.* See it at large.

XI. Stat. 23 Eliz. 11. An Act for the re-edifying and maintenance of the Bridges over *Tosse* near *Cardiff* in the County of *Glamorgan* in *South-wales.*

XII. Stat.

XII. Stat. 27 Eliz. 25. Another Act for the repair of *Roche* Bridge.

XIII. Stat. 39 Eliz. 23. An Act for the making and repairing of *Newport* and *Carlion* Bridges over the River *usk*.

XIV. Stat. 39 Eliz. 24. An Act for the building of a Bridge at *Wilton* upon *Wye*, in the County of *Hertsford* near *Ross*, and what Pontage shall be there taken.

XV. Stat. 43 Eliz. 16. An Act for the erecting and repairing of *Edon* and *Presberk* Bridges in *Cumberland*.

XVI. Stat. 3 Jac. 23. An Act for new making and repairing of *Chepstow* Bridge.

XVII. Stat. 3 Jac. 24. An Act for the building of *Upton* Bridge over *Severn* in *Worcestershire* within three years. *Expired*.

XVIII. Stat. 22 Car. 2. cap. 12. A Clause for the repairing of *usk* and *Basalegg* Bridges in *Monmouthshire*.

Brokers.

* I. Stat. 1 Jac. 21. The sale of Goods wrongfully gotten by any Broker in *London*, *Westminster*, *Southwark*, or within two miles of *London*, shall not alter the property thereof.

II. If a Broker, having received such Goods, shall not upon the request of the true Owner truly discover them, how and when he came by them, and to whom they are conveyed, he shall forfeit the double value thereof to the said Owner.

III. This Act shall not prejudice the ancient Trade of Brokers in *London*, being selected and sworn for that purpose; it being only intended against Fripers and Pawn-takers, who for the most part keep open Shop.

Burials.

I. Stat. 18 Car. 2. cap. 4. An Act for burying in Woolle onely. *Rep.*

II. Stat. 20 Car. 2. cap. 3. No Corps shall be buried in any thing other than what is made of Sheeps-wooll onely; or be put into any Coffin Lined or Faced with any thing made of any Material but Sheeps-wooll, on pain of the forfeiture of 5 l.

III. All persons in holy Orders or their Substitutes shall keep Register of all persons buried in their respective Precincts, or in such common Burial-places as their Parishioners are usually buried, and some Relation of the party deceased, or other person within 8 days after such Interment, shall bring an *Affidavit* under the Hands and Seals of two Witnesses (and of the Officer, before whom it was sworn, for which nothing shall be paid) to the Minister, &c. that the said person was not buried contrary to this Act, and for want of such *Affidavit* the Goods of the party deceased shall be liable to the said Forfeiture, to be Levied by Distress and Sale thereof.

thereof by Warrant of the chief Magistrate in any Town, or any Justice of Peace, or in default thereof, by Distress, &c. of the persons Goods in whose House the party died, or the Goods of any that had a hand in putting such person into any Coffin, &c. contrary to this Act, or that ordered the same; and if such person were a Servant, and died in his Masters Family, the Masters Goods to be liable: if such person died in his Parents Family, their Goods to be liable. The said Forfeitures to be allowed out of the Estate before any Debt, or other Duty whatsoever.

IV. Such Affidavit shall be taken before some Justice of Peace, Master of Chancery, ordinary or extraordinary, Mayor, Bailiff, or other chief Officer of the City, County, Borough, &c. where the party was buried. If no such Affidavit shall be brought as aforesaid, the Minister shall give notice under his Hand to the Churchwarden, or Overseers of the Poor, who within eight days after shall repair to the chief Magistrate in any Town, &c. if buried there; else to a Justice of Peace, who upon Certificate thereof from the Minister, &c. shall grant a Warrant for Levying the Forfeiture: the moiety thereof to the Poor of the Parish where the party is buried, the other to him that will sue for the same.

V. Ministers, Churchwardens, and Overseers, and Justices of Peace, or chief Magistrates, &c. neglecting their Duty aforesaid, shall forfeit 5 *l.* for every Offence, to be recovered by Action of Debt, Bill, Plaint, &c. wherein the Prosecutor shall recover his full costs, so as the Suit be commenced within six months after the offence committed: One fourth part of which Forfeitures shall be to the King, two other parts to the Poor of the Parish where the offender dwells, the fourth to the Informer.

VI. Every Minister, &c. shall keep a Register, to be provided at the Parish charge, and enter all Burials and Affidavits, &c. and where none is brought as aforesaid, shall enter a Memorial thereof in the Name of the party Interred, of the time when he notified the same to the Churchwarden or Overseers of the Poor.

VII. When the said Overseers give up their Accounts at the Quarter or Petty Sessions, or to any two Justices at their monthly meetings, they shall give an account of the Name and Quality of every person Interred since their former Account, and of such Certificates, and of their Levying the Penalties aforesaid, and disposal of the same, on pain of 5 *l.* to be Levied by Warrant from the said Justices, or two of them. No Account of Overseers shall be allowed, unless they shall account for the Burials, &c.

VIII. No Penalty shall be incurred by reason of any that die of the Plague.

X. Judges at their Assizes, and Justices of Peace at their Quarter Sessions, shall give this Act in charge: and it shall be publicly read on the first Sunday after the Feast of St. Bartholomew, for seven years, presently after Divine Service.

X. Persons prosecuted for what they shall do in pursuance of this

Act, may plead the General Issue, and give this Act in Evidence, and if the Prosecutor be Non-suit, or discontinue, or a Verdict be found against him, or Judgment upon a Demurrer, the Defendant shall have treble Costs.

XI. Stat. 32. Car. 2. That after the Second of February 1634 (where no Justice of Peace shall reside, or be to be found in a Parish where any Party shall be Interred) the Oaths or Affidavits for Burying in Woollen may be Administred, not onely by the Magistrates as are mentioned in the former Act; but also that Parsons, Vicars, and Curates in every Parish, or Chappel of the County where the Party shall be Interred (except the Parson, Vicar, and Curate of the Parish, or Chappel of Ease where the Party is Interred) who are authorized and required to administer the said Oaths or Affidavits, and to attest the same with their Hands *gratis*.

Burning of Carts and Wood, Cutting of Dams, Heads of Ponds, Conduits, Pipe Tongues, and Ears, and Barking of Trees.

* **I. Stat. 37 H. 8. 6.** If any maliciously and willingly cut the Head of a Pond, burn a Cart laden, a heap of Wood prepared with Coal, cut out the Tongue of any Beast being alive, or the Ears of any person, or Bark any Fruit-tree; for every such Offence he shall lose treble Damages to the party grieved, and pay to the King.

Butchers.

* **I. Stat. Of Bakers and Brewers. cap. 7. E. 2.** A Butcher that sells Swines-flesh mezzeled, or dead of the Murrain, for the first Offence he shall be Amerced, for the second have the Pillory, for the third be Imprisoned and make Fine, for the fourth be hanged at the Town.

II. Stat. 4 H. 7. 3. No Butcher shall kill any Flesh in a Scalding-house, or within the Walls of London, in pain to forfeit every Ox so killed, 12 *d.* and for every other Beast, 8 *d.* to be divided betwixt the King and the Prosecutor.

III. The same Law shall extend to all other walled Towns, to Cambridge, Berwick and Carlisle onely excepted.

IV. Stat. 15 Car. 2. cap. 8. No Butcher shall sell or expose for sale by himself or others, any fat Oxen, Steers, Runts, Kids, Calves, Sheep or Lambs alive, on pain to forfeit double value, one half to the King, the other to the Informer.

Butler of the King.

I. Stat. 25 E. 3. cap. 21. The Steward of the House and

er of the Wardrobe shall give notice how much Wine shall be taken by the Butler or his Lieutenant in every Port, which number shall not be exceeded.

II. A Certificate shall be made by the Mayor and Bailiffs there, under their Seals, by Indenture betwixt them and such takers of Wine to the said Steward and Treasurer, how much Wine is so taken.

III. If the Butler or his Lieutenant take more Wine, or any Reward, or delay any by colour of his Office, (as by Arrest) he shall forfeit double Damages to the Party grieved, lose his Office, be imprisoned, and be Ransomed at the Kings will.

IV. Stat. 43 E. 3. 3. The Kings Butler or his Lieutenant shall take no more Wine then he shall be commanded, in pain to be Imprisoned, and Ransomed at the Kings will: and after ten days the Merchant may sell the residue, notwithstanding their Arrest.

Butter and Cheese.

I. Stat. 3 H. 6. 4. The Lord Chancellor may grant Licence under the Great Seal to any to convey Butter and Cheese to any other Place besides the Staple, which then was at *Calais*.

II. Stat. 18 H. 6. 3. Butter and Cheese may be conveyed to any Place out of the Realm (being in the Kings Amity) without Licence.

III. Stat. 3 & 4 E. 6. 21. None (except Inholders and Quallers in their Houses) shall buy any Butter or Cheese to sell again, save onely by Retail in open Shop, Fair or Market; and so above a Wey of Cheese or a Barrel of Butter at one time, without fraud; in pain to forfeit the double value, to be divided between the King and the Prosecutor.

IV. Stat. 21 Jac. 22. The Statute of 3 & 4 E. 6. 21. and much of the Statute of 5 & 6 E. 6. 14. as concerns the buying and retailing Butter and Cheese, (which see in *Forestallers*) shall extend to the Retailers of Cheese in *London, Westminster, or Mark*, having served seven years in that Trade, not uttering more than four Wey of Cheese or four Barrels of Butter at one time, without fraud.

V. Justices of Peace in Sessions have power to restrain the retailing of Butter and Cheese; during which restraint those that retail shall be liable to the Penalties of 3 & 4 E. 6. 21. and 5 & 6 E. 6. 14.

VI. Stat. 13 & 14 Car. 2. 64p. 26. The Kilderkin of Butter shall contain 112 pounds neat, or above, of 16 ounces to the pound; the Firkin 56, the Pot 14, besides Casks and Pots. Old and rype Butter shall not be packed up with new and sound, nor any Butter with Butter made of Cream; no Butter shall be salted with great Salt, nor more Salt then will preserve it, on pain to

forfeit the value of the Butter so false packed, and six times the value of every pound wanting.

VII. Sellers of Butter shall deliver in every Kilderkin, &c. quantities aforesaid, or be liable to make satisfaction for what wanting, at the price for which the same was sold.

VIII. None shall repack Butter for sale on pain to forfeit double the value.

IX. All persons packing Butter for sale, shall pack it in Casks sound, dry, well seasoned Timber, marked with the weight of every empty Cask, and [the] first Letter of their Christian Names, and Surnames at length, with an Iron Brand, on pain to forfeit 1 s. for every 100 weight otherwise packed, and so proportionally for greater and lesser quantities.

X. Potters shall set upon Pots for packing Butter, the weight thereof, with the first Letter of their Christian Name, and the Surnames at length, on pain to forfeit 1 s. for every Pot exposed to sale not so marked. None shall expose to sale Butter in Pots so marked, on pain to forfeit 2 s. for every Pot.

XI. All the said Offences shall be determined in the Sessions of Peace, or Court of Record of the Place where committed, by Act of Debt, Information, Indictment, or Presentment; one moiety of the Forfeitures shall be to the use of the Poor of the Parish where the Offence is committed, the other half to the Informer, besides double Costs.

XII. Every Suit and Information shall be within four months after sale of such Butter.

Cables, Halsors, and Ropes.

I. Stat. 21 H. 8. 12. **A**N Act for the true making of Cables, Halsors, and Ropes in Burport, and within five mile thereof. See the Statute at large.

* II. Stat. 35. Eliz. 8. None shall make, or cause to be made, any Cables of old Stuff which shall contain seven Inches in circumference, in pain to forfeit four times the value of every Cable so made; neither shall any Tar, or cause to be Tarred, any Halsors or Cordage made of old Stuff, being of lesser Assize, nor put them to sale; in pain to forfeit the treble value of every such Halsor or other Cordage of lesser Assize than seven Inches in circumference, and Tarred as aforesaid.

III. The said Forfeitures are to be divided between the Informer and the Prosecutor.

Calves and other Cattel.

I. Stat. 3 & 4 E. 6. 19. No Cattel shall be bought but in

- air or Market, and those not sold again in the same Fair or Market, in pain to forfeit the double value.
- II. No Butcher shall buy any Cattel, and sell the same again, in pain to forfeit them.
- * III. Stat. 2 & 3 P. & M. 3. He that keepeth above 120 Sheep, or 20 Beasts upon every Pasture-Ground apt for Milching, and not Commonable, shall yearly for every 60 Sheep, or 10 Beasts, keep one Milch-Cow, and for every 120 Sheep, or 20 Beasts, buy up one Calf, in pain to forfeit for every Cow or Calf not so kept or reared, 20 s. viz. the one half to the King and Queen, and the other to the Prosecutor, if he commence his Suit within one year after the Offence committed.
- IV. Justices of Peace in Sessions have power to hear and determine the breach of this Statute.
- V. This Act shall not bind such as keep Sheep or feed Beasts solely for their own Provision.
- VI. Stat. 7 Jac. 8. The Statute of 2 & 3. P. & M. 3. shall also extend to Grounds which since the said Act have been or shall be made several.
- VII. Stat. 18 Car. 2. cap. 2. Importation of Cattel dead or alive declared to be a common Nuisance. And if any great Cattel, Sheep or Swine, or any Beef, Pork or Bacon shall be Imported or brought from beyond Sea, except for the necessary provision of the House, in which it shall be brought, not exposing it to sale, any Constable, Tything-man, Headborough, Churchwardens, or Overseers of the Poor, may seize and keep the same 48 hours, within which time if it be made to appear to some Justice of Peace of the County by Oaths of two Witnesses, that it was not Imported contrary to this Act, it shall be delivered him upon such Justices Warrant, else shall be forfeited, one half to the Poor of the Parish where seized, the other half to him that shall seize.
- VIII. If any Ling, Herring, Cod or Pilchard, fresh or salted, dried or bloated, or any Salmon, Eels or Congers taken by Fowling, be Imported or exposed to sale, any person may seize them, one half to be disposed to the use of the Poor of the Parish where seized, the other to his own use.
- IX. Cattel may be Imported from the *Isle of Man*, not exceeding 600 Head yearly, and provided they be of the breed of that Island, and Landed at the Port of *Chester*, or Members thereof.
- X. This Act to continue for seven years, and from thence to the first Session of the next Parliament.
- XI. Stat. 20 Car. 2. cap. 7. Every Inhabitant in the Parishes or Places where Importation of Cattel, Beef, Pork, &c. contrary to 18 Car. 2. cap. 2. shall be, may seize and deliver the same to the Constable, Tything-man, Headborough, Churchwardens, or Overseers of the Poor, to be disposed as in the said Act is directed.
- XII. Every Liberty, Parish or Place, and Inhabitants thereof, neglecting to make such Seizure, shall forfeit for every default

100 l. for the use of the House of Correction within the County Liberty where, &c. such Moneys and other the Forfeitures according to the Poor by this and the former Act, shall be accounted for to the persons, and in such manner as the Overseers of the Poor are appointed to account by the Statute of 43 *Eliz. cap. 2.*

XIII. Every Vessel in which any Cattel, Swine, Sheep, Pork or Bacon shall be Imported from beyond Sea; and out of which any of them shall be put on Shore, shall be forfeited; and any persons within a year after such Importation, may seize and sell her: one half of the price to be to the use of the Poor of the Parish where seized, the other half to him that shall seize: and the Justice of Peace of the County, or chief Officer of the Port-Town in or near the Place where such Importation shall be, or where the said Cattel, &c. shall be driven or brought, by Warrant under Hand and Seal, may cause to be apprehended the Masters, Mariners of the Vessel in which such Importation shall be made, and others employed in Landing, driving or taking care of the same, and commit them to Gaol three months.

XIV. When through any fraudulent Agreement or Connivance of any Constable, &c. or otherwise, any great Cattel, Sheep, Swine, &c. after the first seizure of them, shall be found in any other Parish, the Constable, Tything-man, Headborough, &c. of such Parish, may seize and dispose of them as forfeited, one half to the Tything-man of that Parish, the other half to the Officer that shall seize the same.

XV. Suits for any thing done by virtue or colour of this or the former Act, shall be laid in the proper County, or the Defendant found Not-guilty, without regard to any Evidence for the Plaintiff.

XVI. In every such Suit the Defendant may plead the General Issue; and if the Plaintiff or Prosecutor be Non-suit, or Discontinue, or a Verdict be against him, the Defendant shall have the Costs.

XVII. The like *Proviso* for Importation of Cattel from the *Isle of Man*, as in the former Act.

XVIII. Persons that wilfully agree together to evade the Fines or Forfeitures in this Act specified, and put the same in execution, being Prosecuted within a year after, shall incur the Penalties of 16 *Rich. 2. of Praemunire.*

XIX. *Stat. 22 Car. 2. cap. 13.* All persons may Transport Pork, Bacon, Butter, Cheese and Candles, though they do come at the Ports whence they are laden, the Prices set down in the Act of Tunnage and Poundage, made 12 *Car. 2.* paying the Rates pointed by the said Act. *Vide Merchants 89.*

XX. Except that for the Custom and Poundage of one Barrel of Butter there shall be paid 1 s. and for 100 weight of Cheese and no more.

XXI. For every Ox or Steer Transported there shall be paid 1 s. and no more.

Cambridge and Cambridgeshire, &c.

XX. Any persons may Transport Cows or Heifers, paying for each Cow or Heifer 1 s. and no more, and Swine or Hogs, paying each 2 d. and no more.

XXIII. Any persons may Transport Horses or Mares into Parts beyond the Seas, in Amity with the King, paying for each 5 s. and each Gelding 5 s. and no more.

XXIV. Stat. 22 & 23 Car. 2. cap. 19. An Act to prevent Frauds in the buying and selling of Cattel in *Smithfield*, and elsewhere.

XXV. Stat. 25 Car. 2. cap. 4. An Act for repealing of a Clause in a former Act to prohibit Salesmen from selling fat Cattel,

Cambridge and Cambridgeshire.

I. Stat. 34, 35 H. 8. 24. An Act for the assurance of certain lands to *John Hinde* (then Serjeant at Law) and his Heirs, paying yearly 10 l. toward the Charges and Wages of the Knights of the Parliament for *Cambridgeshire* for ever.

II. Stat. 35 H. 8. 15. An Act for Paving the Streets in *Cambridge*. See these Statutes at large.

Captains and Souldiers.

I. Stat. 5 R. 2. 10. The Covenants of such as shall serve the King in his Wars or Embassies shall be recorded in the Exchequer, as at the repeal of their Retinue, to the end a just Account may be thereupon had, if need be.

* II. Stat. 18 H. 18. No Captain shall detain any part of his Souldiers Wages, in pain to forfeit to the King 20 l. for every Spearman, and 10 l. for every Bow-man.

III. Howbeit, if they have been Waged half a year, the Captain may detain 10 s. for the Gown of a Gentleman, and 6 s. 8 d. for that of a Yeoman.

* IV. Stat. 18 H. 6. 19. It is Felony for a Souldier (retained to serve the King in his Wars) not to go with, or to depart from his Captain without licence.

V. Officers shall arrest Souldiers, who within the term limited by them on this side the Sea without Letters Testimonial of their Captain, and shall retain them until the cause of their return be tried.

VI. Justices of Peace have power to hear and determine those offences. *Vide Co. 6. 27.*

VII. Stat. 7 H. 7. 1. A Captain which shall not have the whole number of his Souldiers, or not pay them their due Wages within 40 days after he shall have received them, shall forfeit all his Goods and Chattels, and suffer Imprisonment.

VIII. It is Felony for a Souldier retained, to depart from his colours without licence, for which he shall not enjoy the benefit of Clergy.

IX. Justices of Peace have power to enquire, hear and determine of this Offence of departing without licence; and the Tryal thereof shall be in the same County where the Souldier is apprehended.

X. This Act shall not be prejudicial to Captains when Souldiers die, or otherwise depart without any default of theirs, so that they therewith acquaint (at Land) the Treasurer of the Wars within 10 days after, or (at Sea) the Admiral at their next meeting with him. But *Quære* whether this Statute survived *Hen. 7.*

XI. Stat. 3 H. 8. 5. This Act is in all parts the same with 7 H. 7. 1. save onely that it shall not extend to Captains and Souldiers in *Barwick, Wales, Calice*, or other Places in *France*, nor to Captains having under them Retinue of Souldiers, or for Non-payment of the Kings Wages to Captains, Household Servants. *Quære* also whether this survived *Hen. 8.*

XII. * Stat. 2 & 3 E. 6. 2. A Souldier that makes away his Horse or Arms (proof thereof being made before the chief Commander) shall suffer Imprisonment without Bail, until he hath satisfied the Party at whose charge he was sent out.

XIII. If such a Souldier escape from the Army without punishment, he shall be liable to the same, to be inflicted upon him by any Justice of Peace in those Parts where he shall be apprehended, unless he bring sufficient Testimony from the Commander, that his Horse or Arms were otherwise lost, or employed in the Kings Service.

XIV. It is Felony (without benefit of Clergy) for a Souldier retained, to depart without licence of his Commander, whereupon Justices of Peace may proceed as in case of Felony.

XV. The Commissioner or Captain that licenseth any person retained, and assumeth another for gain, or which giveth to any licence to depart without Warrant from the Commander, shall forfeit 20 *l.* to the King for every person so let go.

XVI. The Lieutenant-General, or other Officer, that receiveth more Wages for Souldiers than there is cause; and doth not every month (by a Note in Writing) acquaint the Treasurer of the Army with every Souldiers entry into Pay, death or departure, shall forfeit 5 *l.* to the King, suffer one months Imprisonment, and lose his Place.

XVII. None but the Commander shall license any, in pain of Imprisonment both of the Licenser and Licensed, at the discretion of the said Commander.

XVIII. The Lieutenant-General shall command this Act to be proclaimed in the Army once every month, and every Governor in his Fortrefs once every three months.

XIX. Every person which shall inform the Lieutenant of any of these Offences, shall have a months Pay belonging to him for his fault.

XX. This Act shall not prohibit Officers to retain yearly 6 *s.*

Captains and Souldiers.

for the Coat of a Yeoman, and 12 s. 4 d. for the Coat of a Gentleman ; neither shall it be prejudicial unto them, when the lack of Souldiers is not through their default, nor when they have under them a Retinue of Souldiers, or for Non-payment of the Kings Wages to their Household-Servants ; neither shall it extend to prohibit relief of Tenants or Friends towards Service in War, or the detaining of Souldiers Wages upon lawful causes.

XXI. Stat. 43 E. 3. The more part of the Justices of Peace yearly in their *Easter* Sessions, have power to charge every Parish towards a weekly relief of maimed Souldiers and Mariners, so that no Parish pay weekly above 10 d. nor under 2 d. nor any County which consists of above 50 Parishes pay above 6 d. one Parish with another : which Sums so Taxed shall be Assessed in every Parish by the Parishioners, or (in their default) by the Churchwardens and Constables, or (in their default) by the next Justice or Justices of Peace.

XXII. The Constables and Churchwardens of every Parish have power to Levy the Tax of every person refusing to pay it by Distress and Sale ; and (in their default) the said Justice or Justices next adjoining.

XXIII. The Tax being thus Levied, the Constables and Churchwardens shall deliver it Quarterly (ten days before every Quarter Sessions) to the High-Constable of their Division, who shall deliver it over to the Treasurers of the County at the same Quarter Sessions.

XXIV. The Treasurers shall be Subsidy-men, viz. of 10 l. in Land, or 15 l. in Goods, and shall not continue in their Office above one year, rendring up their Accounts yearly at *Easter* Sessions, or within ten days after, to their Successors.

XXV. The Officer, his Executors, &c. that fails in payment of the Sums Levied, shall forfeit, viz. the Churchwardens or Constables 20 s. and the High-Constables 40 s. which the Treasurers have power to Levy (by Distress and Sale) in augmentation of their stock.

XXVI. The Treasurer (or his Executor, &c.) that hath been negligent to execute his Office, or to render an Account within the time above limited, shall be Fined by the Justices of Peace in the Sessions, 5 l. at least.

XXVII. The maimed Soldier or Mariner which was Prest, shall repair (if he be able to travel) to the Treasurers of the County where he was Prest ; if he were not Prest, then to the Treasurers of the County where he was born, or where he last dwelt by the space of three years, at his election : but if he be not able to travel, then to the Treasurers of the County where he Lands.

XXVIII. He shall bring to any of the Treasurers aforesaid a Certificate under the Hand and Seal of the chief Commander or of the Captain under whom he Served, containing the Particulars of his Musters and Services : which Certificate shall be also allowed by the Muster-

Muster-Master, or the Receiver-General of the Muster-Rolls, under one of their Hands.

XXIX. Upon such a Certificate, the Treasurers aforesaid may allow him relief to maintain him until the next Quarter-Sessions, in which the more part of the Justices may allow him a Pension, which the Treasurers shall pay him Quarterly, until it shall be revoked or altered by the said Justices: And this Allowance to him that hath not born Offices shall not exceed 10 *l.* to an Officer under a Lieutenant 15 *l.* to a Lieutenant 20 *l.*

XXX. When Souldiers or Mariners arrive far from the Place where they are to receive Relief, the Treasurers there shall give them Relief and Testimonial, whereby they may pass from Treasurer to Treasurer, until they shall come to the Place required. And this shall be done upon the Certificate of the Commander and Captain, although they have not as yet obtained any Allowance therefrom from the said Muster-Master or Receiver-General of the Muster-Rolls.

XXXI. The Treasurers shall Register their Receipts and Disbursements, and enter the Names of the Parties relieved, and add to the Certificate by warrant whereof the Disbursements are made the Muster-Master also or Receiver aforesaid shall Register the Names of the Parties, and the Certificates by him allowed: and the Treasurer returning, or not allowing the Muster-Masters Certificates, shall thereupon Subscribe or Endorse the cause of his allowance.

XXXII. Justices of Peace in Sessions have power to Fine a Treasurer that wilfully refuseth to give Relief, which any two of them (appointed by the rest) may Levy by Distress and Sale of Goods.

XXXIII. A Souldier or Mariner that begs, or counterfeits a Certificate, shall suffer punishment as a common Rogue, and shall lose his Pension, if he have any.

XXXIV. The surpluse of this Contribution shall be employed by the more part of the Justices in Sessions upon charitable Uses according to the Statutes made for the relief of the Poor, and punishment of Rogues.

XXXV. In Corporations the Justices there shall put this Act in execution, and not the Justices of the County, and shall be liable to Fines as well as other Justices, if they misuse their power therein, and shall appoint a Collector of this Tax, which shall have the same power, and be subject to the Penalties limited (by this Act) High-Constables of the Counties.

XXXVI. The Forfeitures accruing by this Act shall be employed as the surpluse above said, or otherwise kept in augmentation of the Stock, as the more part of the Justices in Sessions shall direct.

XXXVII. When out of the County where the Party was preferred his Pension cannot be satisfied, it shall be supplied by the County where he was born, or where he last dwelt by the space of 3 years.

XXXVIII. This Act shall not prohibit the City of London to make a Tax (if need require) differing from that above limited; so that no Parish pay above 3 s. weekly, nor above or under 12 d. weekly one Parish with another.

XXXIX. Stat. 12. Car. 2. cap. 16. All Officers and Souldiers who were under the Command of the Captain General of the Kings Forces on the 25th of April 1660, and have not since deserted the Service, or refused to take the Oaths of Supremacy and Allegiance, may exercise any Handicraft or Trade exercised about Manufactures, in manner following; viz. Such as have been Apprentices may exercise such Trades as they were Bound to, though they Served not out their Time, with like Immunities as if they had: and all others, such Trades as they are apt and able for, in the Towns and Places within the several Counties where they were born: and if Impleaded or Indicted for the same, they may plead the General Issue, and shall have double Costs if a Verdict pass against the Prosecutor, or if he be Non-suit or Discontinue. Judges and Jurors are to take notice of this Act.

XL. The Service aforesaid must be proved by a Certificate under the Hand and Seal of some Field-Officer, and two Commission-Officers of the Regiment where the party Served, or some general Officer of the Army, certifying his knowledge of such Service, the said Certificate to be proved by one Witness, or for default of such Certificate, by the Oaths of two Witnesses.

XLI. If any person produce a false Certificate, they shall suffer imprisonment, not exceeding six months, and lose the benefit of this Act.

XLII. Stat. 13 Car. 2. cap. 9. An Act for the Relief of poor and maimed Souldiers and Officers, who have faithfully Served his Majesty and his Royal Father during the late Wars. *Expired.*

XLIII. Stat. 31 Car. 2. cap. 1. No Officer, Military or Civil, or other person, shall Quarter or Billet any Souldier upon any Inhabitant of this Realm without his consent, and every such Inhabitant may refuse to Quarter any Souldier, notwithstanding any Order whatsoever.

Captives.

I. Stat. 16 & 17 Car. 24. An Act for the relief of them taken by Turkish, Moorish, and other Pirates, and to prevent the taking of other in time to come. *See the Statute at large.*

Castles and Fortresses.

I. Magna Charta, 19. No Constable of Castle, or his Bailiff, shall take Provision of a Stranger without ready Money; and one that dwelleth where the Castle is shall be paid for it within forty days.

II. Magna

60. Certificate of the cause of Attainder, &c.

II. *Magna Charta*, 20. A Knight shall be freed from Castle-gard, doing the Service by himself or another, or being with the King in his Host.

III. *West.* 1. 8. 3 *E.* 1. No Constable or Castellane shall exact any thing of any but such as reside in their Town or Castle, unless it be an ancient price due to the King, Castle, or Lord of the Castle.

Certificate of the cause of Attainder, &c.

I. *Stat.* 34 *H.* 8. 14. The Clerks of the Crown, Assise and Peace, shall certify unto the Kings Bench the tenor of every Indictment, Outlawry or Conviction, and Clerks of Attaint, had before them respectively for any Felony or other Offence, and that within 40 days next after such Attainder, Conviction or Outlawry, if it be Term-time; otherwise within 20 days after the beginning of the Term next following the 40 days: and shall also deliver a Transcript of the Indictment to the Ordinary to whom the person Attainted is committed: and all this in pain of 40 s. to the King and Prosecutor. *But note, that the Transcript to the Ordinary need not now, since the Statute of 18 Eliz. 7. which see after in Clergy.*

* II. The Clerk of the Crown shall receive such Certificates, in pain of 40 s. for every one refused.

III. When the Indictment containeth more Names then are convicted, a Transcript containing onely the Names of such as are convicted shall serve.

IV. The Clerk of the Crown being sent to by the Justices of Gaol-delivery or Peace for the Name of any person so convicted and certified, shall without delay send a Certificate thereof in pain of 40 s.

V. No Certificates out of *Wales, Chester, Lancaster, Duresm.*

Cessavit.

I. *Gloucest.* cap. 4. 6 *E.* 1. If a Free-Farmer cease to pay his Rent two years together, the Lessor shall have a *Cessavit* against him and recover the Land, unless before judgment he pay the Arrears, and give Security to pay duly for the future.

II. *West.* 2. cap. 2. 13 *E.* 1. A *Cessavit* by the chief Lord against his Free-hold-tenant that ceaseth *per biennium*.

III. A *Cessavit* is maintainable by the Heir of the Demandant against the Heir or Assign of the Tenant.

Challenge.

I. *Stat. De Inquis.* 33 *E.* 1. If one challengeth a Juror for the King, he shall forthwith assign the Cause, which shall be presented by the discretion of the Justices.

Champerty.

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II. If he alledge not a good Cause, or it go against him, the Inquest shall be forthwith taken.

III. Stat. 7 H. 7. 5. *Riens deins le Garde* shall not be admitted for Challenge in London.

IV. Stat. 33 H. 8. 23. Peremptory Challenge shall not be admitted in Cases of High Treason, or Misprision of Treason.

V. Stat. 1 E. 6. 12. All Statutes made during the Reign of H. 8. touching Challenges and forein Pleas are confirmed.

Champerty.

* I. West. 1. 25. 3 E. 1. No Officer of the King shall maintain Plea of Lands or other things, to have part thereof, or other profit by Covenant between them made, in pain to be punished at the Kings will.

II. West. 2. 49. 13 E. 1. The Chancellor, Treasurer, Justices, or any of the Kings Council, Clerks of Chancery, Exchequer, or of any Justice or other Officer, or any of the Kings House, Clerk or Lay, shall not receive any Church or Advouson Land or Tenement in Fee, by Gift, by Purchase or Farm, by Champerty or otherwise, so long as the same thing is in Plea, nor shall take any Reward thereof, in pain to be punished at the Kings will, both Buyer and Seller.

III. Stat. 20 or 21 E. 1. made at Berwick. The attainted of Champerty shall suffer three years Imprisonment, and be Finable at the Kings will : where you have also the Form of a Writ for remedy thereof to be issued out, by Gilbert de Thornton.

IV. Writ. super Chart. 11. 28 E. 1. None shall take upon him Business in Suit with an intent to have part of the thing Sued for, neither shall any upon any such Covenant give up his Right to another ; in pain that the Taker shall forfeit to the King so much of his Lands and Goods as do amount to the value of the part so purchased for such Maintenance, to be recovered by any that will Sue for the King in the Court where the Plea hangeth.

V. This shall not prohibit any to take Counsel at Law for the Fee, or of his Parents or Friends.

VI. Stat. 33 E. 1. Anno Domini 1304. Champertors are such as move Pleas and Suits, or cause them to be moved, either by themselves or others, and prosecute them at their own charge, to have part of the thing in variance, or part of the gains.

VII. Stat. 33 E. 1. Anno Domini 1305. None of our Court, of Pleaders, Attorneys, Stewards, Bailiffs, or any other, shall take any Plea or Suit to Champerty, or for Maintenance ; in pain that they, together with the Consenters thereunto, shall suffer three years Imprisonment, and be Fined at the Kings will. See also there the Form of Writ for the same purpose, and also against Conspirators.

Chantery,

Chancery, Masters in Chancery.

I. *Artic. super Chart.* 5. 28 E. 1. The Chancellor and the Justices of his Bench shall follow the King, to the end he may have always near him such as be Learned in the Laws, to order matters that shall come to the Court.

II. *Stat.* 36 E. 3. 9. Whosoever findeth himself grieved with any Statute, shall have his remedy in the Chancery.

III. *Stat. Car.* 2 not Printed. The Office of the Masters in Chancery being of very ancient Institution and necessary Attendance in dispatch of Business in the Court, and it being thought more proper and safe for the Subject in general that Affidavits, Answers, Recognisances, and Acknowledgments of Deeds should be in some public Place than in private Studies and Houses as formerly, and for the encouragement of the said Masters, for their Attendance and support in due discharge of their Places; Enacted, That one publick Office be kept, and no more, near the Rolls, in which the said Masters, some or one of them, shall constantly attend, for the Administration of Oaths, caption of Deeds and Recognisances, and dispatch of matters incident to their Office, (References upon Accounts, and insufficient Answers onely excepted) from 7 a Clock in the Morning until 12 at Noon, and from 2 in the Afternoon until 6 at Night: and the said Masters may demand and take the Fees following, *viz.*

For every Affidavit or Oath taken in the said Office,

For every Bill of Costs to be Taxed by them for the Plaintiff not putting in his Bill, or not proceeding to Reply, or for the Defendants not appearing in due time,

For the Acknowledgment of every Deed to be Enrolled,

For the Caption of every Recognisance,

For every Exemplification examined by two of the said Masters to each of the said Masters who shall examine the same, for every Skin of Parchment so examined,

For every Report or Certificate to be made in pursuance of an Order made upon hearing of the Cause,

And for every other Certificate or Report of any other matter upon Petition or Motion onely,

To be paid by the party that takes out the Report or Certificate

And if any Master directly or indirectly receive any Money, Reward or Promise otherwise, or for any other matter in this than as aforesaid, every such Master, after legal conviction, shall be disabled from the execution of his Office, and forfeit to the party grieved so much Money as he shall take contrary to this Act, and moreover 100 l. one moiety to the King, and the other to the party grieved that shall Sue for the same.

And several Tables of the said Fees to be set up in the said Office and in the Chappel of the Rolls, that all parties may take notice thereof. See Clerks of the Chancery.

Chelsey.

I. Stat. 7. Jac. 6. A Colledge shall be erected at *Chelsey*, and a Trench shall be made to convey Water from the River of *Lu* to *London* to maintain the same.

Chester and Cheshire.

I. Stat. 1 H. 4. 18. If any Inhabitant of the County of *Chester* commit Murther or Felony in another County, Proceess shall be made against him to the *Exigent* in the County where the Offence was done; and if he then fle into *Cheshire*, the *Exigent* or Outlawry shall be certified to the Officers of *Cheshire*, who shall thereupon take the Offender, and seise his Lands and Tenements, and Goods and Chattels, for the Princes use: the King shall also have his year, day and waste; likewise his Lands and Goods in other Counties shall remain forfeit to the King, and other Lords having thereof franchise. The like Proceess and Proceedings shall be also had against the Offender in Battery or Trespass so committed, and his Goods and Chattels shall be forfeited to the King, Prince, or Lords respectively, as afore said.

II. Stat. 27 H. 8. 5. Justices of the Peace, *Quorum* and *Goldelivery*, are to be nominated and made in *Chester* and *Wales* by the Lord Chancellor, or Keeper of the Great Seal of *England*, in the manner as within the Realm of *England*: which Justices shall certify their Extracts, and the several Sheriffs make their Accounts, in the said Statute is directed.

III. The Justices and Clerks of the Peace shall have like Fees in *England*, and inferiour Officers shall be attendant to the Justices.

IV. Stat. 32 H. 8. 43. Sessions shall be kept by the Justice for the time being in the County of *Chester* twice in the year one, viz. at *Michaelmas* and *Easter* Sessions; and the old Order of keeping the County days shall cease.

V. Stat. 33 H. 8. 13. The Sheriff of the County of *Chester* shall keep his County Court monthly in the Shire-Hall of the said County.

VI. The Justice or his Deputy may keep their two Sessions at any time of the year they please, so they cause them to be proclaimed 15 days before.

VII. Stat. 34 H. 8. 13. The County of *Chester* shall have two Knights, and the City of *Chester* two Burgesses, for the Parliament.

VIII. No Writ of Course in the nature of a Protection shall be granted in the County Palatine of *Chester*.

IX. Stat.

54 Chirographers, Church-yard, &c.

IX. Stat. 2 E. 6. 31. All Recognisances of Statutes-Merchants &c. acknowledged before the Mayor of *Chester*, shall be good in Law.

X. Stat. 43 Eliz. 15. Fines may be Levied before the Mayor of the City of *Chester* for Lands lying there.

XI. A *Dedimus potestatem* may be granted by the Mayor of *Chester* to take the Acknowledgement of a Fine.

XII. Howbeit Fines taken before the Mayor may (upon error) be reversed before the High-Justice of the County Palatine of *Chester*.

Chirographers.

I. Stat. 2 H. 4. 8. The Chirographer or his Deputy shall not take but 4 s. for a Fine, in pain to forfeit his Office, be judged before the Court, suffer a years Imprisonment, and pay treble Damages to the party grieved, to be recovered before the Justices of the same Court.

Church-yard.

I. Stat. *Ne rectores prosternant arbores in cœmeterio*, 35 E. 3. Parsons of Churches shall not cut down Trees growing in Church-yards, unless for the necessary repair of the Chancel, (in charity) of the body of the Church.

See Tiele Fighting and Quarrelling. And see Arrests, n. 1, 2, 3.

Citation.

I. West. 2. 43. 13 E. 2. Hospitallers and Templars shall not be taken into Suit before the Keepers of their Priviledges; nor shall their Keepers cite any, to the prejudice of the King's Crown.

* II. Stat. 23 H. 8. 9. None shall be cited to appear before the Diocess or peculiar Jurisdiction where he or she dwelleth, except by some Ecclesiastical or other person within the Diocess or other Jurisdiction whereunto he is so cited, for some Offence Cause committed, contrary to Right or Duty, or upon an Appeal or other lawful Cause, or when the Judge dares not, nor will he cause him to be cited, nor is any way party to the Suit, or any instance of the inferiour Judge to the superiour, where the Civil or Canon doth allow it, and all this in pain to forfeit Damages to the party grieved, and 10 l. to the King, to be divided betwixt him and the Prosecutor.

Clap-board.

- III. The Archbishop may cite for Heresie in any Diocese within Province, upon consent or neglect of the Bishop or Judge
IV. This Act shall not restrain the Jurisdiction of the Prerogative Court for Probate of Testaments.
V. The Ecclesiastical Judge shall take but 3 *d.* for a Citation, on the pains aforesaid.

Clap-board.

- I. Stat. 35 Eliz. 11. For every six Tun of Beer Exported, the Cask, or as good, or 200 of Clap-board fit to make Cask, shall be Imported, or (if they be Transported into *Ireland*) 200 of Shaffold-board ; which Clap-board or Shaffold-board by a stranger shall be left here before the Beer be Exported, but by a subject shall be left here, or provided within four months after.
II. The Clap-board shall contain 3 Foot 2 Inches (at least) in length, and the Cask shall be Entered at the Custom-house.
III. The same Law for Strangers that Transport Fish in Cask, and the Penalty of breaking the Laws is the forfeiture of their Beer, and Cask.
IV. None shall Transport any Wine-Cask with Beer or Beer-er, or Wine-Cask shaken, except for Victualling of a Ship or other Vessel, or some of her Majesties Garrisons beyond Sea, in pain of forfeit 40 *s.* for every Tun of Cask so Transported.
V. This Act shall not prohibit the Transportation of Herrings in Cask.

Clergy.

- I. Stat. 1, 2, 3 E. 1. A Clerk convict for Felony, and delivered to the Ordinary, shall not be enlarged without due purgation.
II. Stat. *De Bigamis* 5. 4 E. 1. *Bigamus* shall not be allowed to marry.
III. Stat. Cleric 15. 9 E. 2. A Clerk flying into the Church for sanctuary shall not be compelled to abjure.
IV. Stat. Cleric 16. 9 E. 2. The privilege of the Church beneficially demanded by the Ordinary, shall not be denied to a Clerk who hath confessed Felony, who is called an Appellor or Approver.
V. Stat. 18 E. 3. *pro Clero*, 2. Bigamy shall not be Tried by Jury, but by Certificate from the Ordinary, until which time the offender shall remain in Prison, unless Bailable.
VI. Stat. 25 E. 3. *pro Clero*, 4. Every Clerk convicted of any Felony or Felony (not touching the King himself) shall be delivered to the Ordinary.

VII. Stat. 25 E. 3. *pro Clero*, 5. A Clerk shall be arraigned all his Offences at once.

VIII. Stat. 4 H. 4. 2. The words *insidiatores viarum & palatores agrorum*, shall not be put in Indictments or Appeals.

IX. Clerks shall be allowed their Clergy, notwithstanding Indictment hath the words aforesaid inserted in it.

X. Stat. 4 H. 4. 3. A Clerk convicted shall make purgation according to a Constitution made by *Simon* Archbishop of Canterbury.

XI. Stat. 4 H. 7. 13. The benefit of Clergy shall be allowed but once.

XII. A convicted person shall be marked openly before the Judge upon the Brawn of his left Thumb, *viz.* with an *M* for Murder and with a *T* for another Felony.

XIII. He that is within Orders, upon asking of his Clergy, shew his Orders, or his Ordinaries Certificate.

XIV. Stat. 12 H. 7. 7. No Lay-person that doth murder Lord or Master shall have his Clergy.

XV. Stat. 23 H. 8. 1. None (except Clerks within Orders) which by the Law shall be found guilty of petty Treason, Murder, Sacrilege, Burglary, Robbery, or House-breaking, nor their associates, shall be admitted to the benefit of Clergy.

XVI. A Clerk within Orders, being Principal or Accessary to any of the Offences aforesaid, shall not be admitted to his purgation nor be enlarged by the Ordinary, until he shall have bound himself with two good Sureties before two Justices (1 *Quorum*) of good behaviour.

XVII. This Act shall give no benefit to any persons which Outlawry or Attainder for Felony or Murder are admitted to Clergy, but that such shall still remain in the custody of the Ordinary without making purgation.

XVIII. The Ordinary may degrade a convicted person, and commit him to the Kings Bench, where the Justices shall have power to give Judgment upon him, according to which he shall be executed.

XIX. Stat. 23 H. 8. 11. A convicted person within Orders shall be delivered to the Ordinary, there to remain without any purgation: yet may the Ordinary (in that case) degrade him, and commit him to the Kings Bench, where the Justices may proceed to execute him as before.

XX. Stat. 25 H. 8. 3. None shall have benefit of Clergy who being accused of any of the Offences mentioned in the 23 Statute are found guilty and mute, challenge above twenty, or answer directly; albeit the Offence were committed in another County than where they were Tried.

XXI. Stat. 26 H. 8. 12. A remedy where there be no Peace in that County in Wales where the Clerk convicted doth remain in Prison.

XXII.

XXII. Stat. 28 H. 8. 1. Such as be within holy Orders shall receive no other benefit of Clergy than others do. Stat. 32 H. 8. 3.

XXIII. Stat. 37 H. 8. 8. None Attainted for Horse-stealing shall have the benefit of Clergy. See 2, 3 E. 6. 33.

XXIV. Stat. 1 E. 6. 12. All Felons shall have the benefit of Clergy, save onely such as shall be found guilty of Murther, Poisoning, Burglary, Robbery, Horse-stealing, or Sacriledge, or which upon their Arraignment of any of the same Offences confess the same, stand mute, or make no direct answer thereunto. See also for Horse-stealing the Statute of 2, 3 E. 6. 33.

XXV. This Act shall not extend to Treason; petty Treason, or misprision of Treason.

XXVI. A Peer of the Realm, for his first Offence of Felony, though he cannot read, shall be admitted to his purgation, as a clerk convict.

XXVII. Bigamus, being a Felon, shall be admitted to his Clergy well as any other.

XXVIII. Stat. 5, 6 E. 6. 9. Clergy shall not be admitted to a burglary, although the Offence be committed without the notice of the Owner, Children or Servants, or any of them being within the house or Precincts of the same: so it is also for Burglary committed in Booths or Tents.

XXIX. Stat. 5, 6 E. 6. 10. The Statute of 25 H. 8. 3. shall stand in force concerning the Trial of Offenders in another County than where the Offence was committed, notwithstanding the Statute of 1 E. 6. 12. which seems to take away the force thereof; so that such an Offender shall not have his Clergy, albeit the Trial happen to be in another County than where such Offence was committed.

XXX. Stat. 4, 5 P. & M. 4. Accessories (before the Fact) which are found guilty of petty Treason, Murther, Burglary, Robbery, or House-burning, or which upon their Arraignment for these Offences stand mute, challenge above twenty, or answer not directly, shall not enjoy the benefit of Clergy.

XXXI. In this case Peers shall be Tried by their Peers.

XXXII. Stat. 8 Eliz. 4. None that taketh any thing privily feloniously from the person of another, or upon his Arraignment shall confess the same, nor answer directly, stand mute, challenge above twenty, or be Outlawed for it, shall have the benefit of Clergy.

XXXIII. One delivered to the Ordinary, and admitted to his Clergy shall (notwithstanding his purgation) answer for Offences neverly committed.

XXXIV. Stat. 18 Eliz. 7. None shall have Clergy that commit Rape or Burglary.

XXXV. An Offender admitted to his Clergy, after burning in Hand, shall not be delivered to the Ordinary, as hath been used, shall thereupon be enlarged by the Justices before whom such Clergy

Clergy shall be granted, or by them detained longer in Prison at their discretion, so it be not for longer time than one whole year.

XXXVI. To know a Woman carnally under the age of ten years is Felony.

XXXVII. One admitted to his Clergy shall nevertheless answer for other Felonies.

XXXVIII. Stat. 39 *Elix.* 9. He that taketh away a Woman against her will (having Lands or Goods, or being Heir apparent or her Ancestor) contrary to the Statute of 3 *H.* 7. 2. or being arraigned for such Offence, stands mute, answers not directly, challengeth above twenty, shall not have the benefit of Clergy.

XXXIX. The same Law against Procurors and Accessaries before such Offences committed.

XL. Stat. 39 *Elix.* 15. Clergy shall not be allowed to any Feloniously takes away any thing in the day-time amounting to value of 5 s. out of any dwelling-house, or out-house, albeit the person be within or near the same.

XLI. Stat. 1 *Jac.* 8. He that stabs or thrusts any person having a Weapon drawn, or not striking first, so that he die thereof within six months after, although it be not of malice afore-thought, shall not enjoy the benefit of Clergy.

XLII. This Act shall not extend to charge any of stabbing or thrusting, when it is done onely *se defendendo*, by misfortune, or chastising his Child or Servant, with no purpose to commit slaughter.

XLIII. Stat. 21 *Jac.* 6. For Felony where the Man may have his Clergy, the Woman shall be burned in the Hand with an Iron.

XLIV. Stat. 22 *Car.* 2. cap. 5. No persons who shall be indicted for cutting and taking, stealing or carrying away Cloth or Woollen Manufactures from the Back or Tenter in the night-time, or for any Offence against the 31 *Elix.* cap. 4. Or shall Feloniously steal or imbezzel any of the Kings Naval Stores to the value of 20 s. and be found guilty, or shall confess the same, or not answer according to Law, or stand mute, or challenge peremptorily above twenty, or be Outlawed, shall have their Clergy.

XLV. But the Court may grant a Reprieve, and cause such Offender to be Transported to any of the Kings Plantations beyond sea for seven years, there to be kept to labour: and if he refuse to be Transported, or after Transportation return, in every such case persons so returning shall be put to Execution upon the Sentence.

Clerks of the Chancery.

I. Stat. *De Sacramento Clericorum Cancellarie*, 18 *E.* 3. The Oath of the Clerks of the Chancery.

II. Stat. 14 *H.* 8. 8. The six Clerks of the Chancery may marry Wives, and yet enjoy their Offices.

☞ Clerk of the Crown.

* I. Stat. 2 H. 4. 10. When divers persons are joyntly Indicted, the Clerk of the Crown shall take but one Fee, viz. 2 s. for them, and not several Fees for each person.

Clerk of the Market.

* I. Stat. 13 R. 2. 4. The Clerk of the Market of the Kings House shall execute his Office duly, and all false Weights and Measures shall be burnt.

II. The said Clerk shall take no common Fine, but every one shall be punished according to their demerit.

III. He shall not ride with above six Horses, and shall tarry no longer in a Place then need requireth.

IV. If he offend against this Law, he shall pay to the King for the first time 5 l. for the second 10 l. for the third 20 l.

V. Stat. 17 Car. 19. There shall be one Weight and one Measure, according to the Standard of the Exchequer, throughout the Realm, and every Measure of Corn shall be striked without Error.

VI. Whosoever shall sell, buy or keep any other Weight or Measure whereby any thing is bought or sold, after six months after the Session of Parliament, shall forfeit for every such Offence 5 s. if he thereof lawfully convicted by the Oath of one Witness being a Justice of Peace, Mayor or other Head-Officer, (in their several Precincts respectively) who shall have power to Administer the Oath in that behalf; which said Forfeiture shall be Levied by the Churchwardens and Overseers of the Poor (or one of them) where the Offence shall be committed, to the use of the Poor there, by Distress and Sale of Goods, rendring the overplus to the party offending: and in default of Distress, the Justice, Mayor or Head-Officer may commit the Offendor to Prison, until he shall pay the said Forfeiture.

VII. The Clerk of the Market of the Kings or Princes Household and his Deputies, shall onely execute their Offices within the Verge, and not elsewhere: and Head-Officers of Corporations, and Lords of Manors, and their Deputies, may execute theirs in their several Precincts, as they might have done before this Act was made.

VIII. If any of the Officers aforesaid shall Seal any Weight or Measure which is not agreeable to the said Standard, or shall refuse to Seal such as are agreeable thereunto, (the party paying onely the Fees for the allowance thereof as are warranted by Statute, or by ancient Custom) they and their Deputies (respectively) shall for every such Offence forfeit 5 l. to be Levied as aforesaid, to the use of the Poor where the Offence was committed.

IX. If they shall take any other Fine, Fee, Reward, or Sum of Money,

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Money, than what are allowed by Statute, or some such ancient Custom, for the Signing or Examination of any Weights or Measures which have been formerly Marked or Sealed, or shall impose any Fine or Amerciament without a legal Trial of the Offence, shall otherwise misdemean themselves in the execution of the Office, and shall be thereof lawfully convicted, they shall forfeit the first Offence 5 *l.* for the second 10 *l.* and for every other Offence 20 *l.* to be Levied as aforesaid, to the use of the Poor where the Offence was committed.

X. He that is Fined or Amerciated by this Act, shall not be punished for the same Offence by force of any former Law or Statute.

XI. This Act shall not extend to the Measure of Rent-corn, to Water-measure, nor to Colledges or Societies.

XII. If any Officer authorized to execute this Statute shall be Impleaded for any act he shall do therein, he shall plead the General Issue, *Not-guilty*, and yet give this Statute, or any other Statute in Evidence: and if he be found *Not-guilty*, or the Plaintiff be Non-suited, he shall recover treble Costs.

Vide plura Tit. Weights and Measures.

Clerks of Signet and Privy Seal.

I. Stat. 27 H. 8. 11. How and in what manner the Grants, Writings and Leases shall pass the Privy Signet, the Great Seal, and the Great Seal; and in what time they shall pass the Great Seal; and Forfeitures set upon the Clerks of the Privy Signet, for not doing their Duty, and what Fees they shall receive for those Writings, and what Fees shall be paid to any person for the same; and how and where such Writings shall come to the Great Seal, with an immediate Warrant, and not pass the Privy Seal, and what Fees shall be then paid therefore; and under what Seals the Kings Leases, Grants and Writings of Lands or Offices of the County Palatine or Duchy of Lancaster shall pass; and what Grants, Leases or Writings for the King shall be made without his Warrant, and divers Articles at large concerning these matters: For these see the Statute it self at large.

Coals.

I. Stat. 16. & 17 Car. 2. cap. 2. An Act for regulating Measures and Prices of Coals. *Exp.*

Collectors.

I. Stat. 18 H. 6. 3. None appointed to be a Collector of Fifteen in a City or Borough, shall be also Collector in the

Commission and Commissioners, &c. 71

County, unless he may dispend in the County out of such City in
sunds 5 l. per annum, above all Reprises.

II. Stat. 13 & 14 Car. 2. cap. 17. Collectors and others Levy-
Money by vertue of any Act of Parliament now in force, and
being Sued concerning the same, may plead the General Issue, and
the special matter in Evidence.

III. Stat. 20 Car. 2. cap. 2. All Receivers, Reeves, Bailiffs, Col-
lectors and others, who having received Moneys due to his Majesty,
shall not pay the same before the 1st day of July 1668, shall from
thenceforth answer and pay to his Majesty Damages after the rate
12 l. per cent. by the year, till the Principal be paid in.

IV. All persons who having received any Moneys due to the
Crown, shall not pay the same to whom they ought to be paid accord-
ing to Law within two months after such receipt, shall from thence-
forth pay 12 l. per cent. by the year, without abatement or install-
ment: for the Levying whereof the Process of the Exchequer shall
forthwith awarded.

V. This Act shall not extend to Accounts of Sheriffs.

Commission and Commissioners.

I. Stat. 42 E. 3. 4. Commissions of Inquiries shall be made to
Justices of the one Bench or the other, Justices of Assise, Justices
Peace, with others of the most worthy in the Countrey, save in
Office of the Escheatorship.

II. Stat. 4 H. 4. 9. If any be Distrained by Writ out of the Ex-
chequer, for not returning a Commission which never came to their
hands, the Chancellor of England (calling to him some of the Justices,
and the chief Baron, if need be) hath power to give remedy
therein.

III. Stat. 7 H. 4. 11. Commissioners not receiving a Commis-
sion, shall be discharged thereof upon Oath.

IV. The Barons of the Exchequer have power to Administer the
Oath, and to discharge them thereupon.

V. The Barons of the Exchequer, and the Justices of either Bench,
have also power (by *Dedimus potestatem*) to receive such Oaths in the
County; and the Justices shall make Certificate thereof into the
Exchequer, and thereupon also the Barons shall discharge the Com-
missioners, their Heirs, Executors, and Land-Tenants.

VI. Such Oaths are not to be taken but in case of Commissions of
Assise and Terminer, and of Enquiring and Certifying onely.

Common Pleas.

Magna Charta, 11. 9 H. 3. Common Pleas shall not follow
Court, but shall be holden in some place certain.

I. Arris. super Chart. 4. 28 E. 1. Common Pleas shall not be
holden in the Exchequer, contrary to the Form of the Great Charter.

Conditions.

I. Stat. 32 H. 8. 34. Grantees of Reversions may take advantage of Conditions and Covenants against Lessees of the same Lands, fully as the Lessors, their Heirs or Successors, might have done.

II. Lessees may also have the like remedy against the Granters of Reversions which they might have had against their Lessors or Grantors, their Heirs or Successors; all advantage of recoveries in law by reason of any Warranty in Deed of Law by Voucher or otherwise, only excepted.

Confirmation.

I. Martb. 5. 52 H. 3. The Great Charter, and that of the rest, shall be duly observed and enquired of before the Justice Eyre, and the Sheriffs in their Counties, and the Offenders shall be grievously punished by the King.

II. Stat. 25 E. 1. cap. 1, 2, 3, & 4. The Great Charters are confirmed, Judgments given against them shall be void; they shall be read in all Cathedral Churches, and Excommunication shall be pronounced against the breakers of them.

III. Artic. super Chart. 1, 28 E. 1. The Great Charter, and that also of the Forest, shall be duly observed.

IV. They shall be read four times in the year in a full Court, viz. at the Counties after Michaelmas, Christmas, Easter, and St. John Baptist.

V. There shall be three Knights, or other substantial Men, chosen by the Commonalty in every County, to hear Plaints concerning the Charters, and to determine them without such delay as is used at the Common Law; but they shall not in their proceedings prejudice the Common Law or the Charters.

VI. They shall have their power by the Kings Writ under the Great Seal, and the Sheriffs and Bailiffs shall be attendant upon them.

VII. Stat. 1 E. 3. 1. The Great Charter, and that of the rest, shall be duly kept and put in execution. See Ann. 2, 4, 5, 14, 28, 31, 36, 37, 42 & 45 E. 3. cap. 1. & 50 E. 3. cap. 1. Anno 1. 2. Stat. 2. 5, 6. Stat. 1. cap. 1. 7. cap. 2. 8. & 11. cap. 1. also Anno 1, 2, 4, 7, 9. & 13 H. 4. cap. 1. likewise 4 H. 5. cap. 1.

VIII. Stat. 10 E. 3. 1. All Statutes not Repealed shall be kept and put in execution. See also 28, 36, 37, & 38 E. 3. cap. 1. Stat. 2. 35. 6. cap. 1. 7. cap. 2. 8, 9. & 12 R. 2. cap. 1. & 13. cap. 1. & 1, 2, 4, 7, 9, & 13. 4 H. 5. cap. 1.

IX. Stat. 42 E. 3. If any Statute be made contrary to the Great Charter, or Charta de Foresta, it shall be void.

X. Stat. 1 H. 4. 4. The Parliament holden in Ann. 1. prejud

shall be holden and kept according to the purport thereof, as a thing done to the great honour and common profit of the Realm.

XI. Stat. 1 E. 4. 1. An Act was made, whereby was confirmed all Judicial Acts, Exemplifications, Concords, Recoveries, Process in Court, &c. made in the times of H. 4. H. 5. & H. 6. and all Grants and Letters Patents (of divers things mentioned in the said Act) made by any of the said three Kings. See the Statute at large.

XII. The Confirmation of divers particular Statutes. See under their proper Titles.

XIII. Stat. 12 Car. 2. cap. 12. No proceedings since the first of May 1642. had or depending in any Courts of Law or Equity, or by any acting in obedience to them, or by any the Courts of Admiralty, Delegates, Commissioners of Sewers, Bankrupts or Charitable Uses, no Probates of Wills, nor Letters of Administration, shall be avoided for want of legal power in the said Courts, Commissioners, &c. or by reason of any alteration of Stiles in which the Premises were held, or for that they were in the *English* or *Latine* Tongue.

XIV. Fines since the death of the late King shall be good, notwithstanding the not Enttring, or not due Enttring of any *Sum pro lic. Concordandi*, or to the party for the Concord; and Fines Levied in *Michaelmas* Term last past, before one Judge onely in the Court of Common-Pleas, shall be good notwithstanding.

XV. All Judicial Proceedings in the Court of Common-Pleas since the late Kings death, concerning Lands in the County Palatine of *Durham*, shall be good, notwithstanding the Lands were lying there.

XVI. Proceedings in the High Court of Justice, not confirmed by this Act.

XVII. All Indictments of Treason, & Proceedings thereupon for adhering to both Houses of Parliament, or to the late King since the 1st of May 1641, and before the 25th of April 1660, and all Grants of Lands and Hereditaments, Escheated or Forfeited thereby, and all Titles to any Mean Profits by reason thereof, are from henceforth discharged, and all Forfeitures by reason thereof, restored.

XVIII. Sales made by Ordinance of Parliament since the 1st of May 1642. shall be as though this Act had not been made.

XIX. All Securities given to any pretended power, and all Proceedings thereupon not discharged by this or some other Act of this Parliament, or otherwise, shall be prosecuted in the Name, and to the Use of his Majesty; other than Securities given by any persons by reason of their adherence to the King or his Father, or arising onely in respect of the late Troubles, or entered into by Order of any Council of State, Committee of Safety, Major General, Decimators, or any under them, or any other Military Power, all which are declared void.

XX. Non-claim upon Fines made good by this Act, shall not prejudice any right to Lands sold by Ordinance of both or either Houses

Houses of Parliament (other than of the parties, their Heir and Trustees) as then or late the Lands or Hereditaments of the King, Queen, or Prince, or Ecclesiastical persons, or any persons for then acting in respect of the late Troubles: so as the said Right be pursued within five years after the 29th of May 1660.

XXI. All Indictments of High Treason, and Proceedings thereon for Levying War against any usurped Power, shall be void, and all Assurances, Statutes and Judgments made or suffered by any whole Attainder is hereby discharged, shall be as if no such Attainder had been. Confirmed 13 Car. 2 cap.

☞ Conjuration, Enchantment, and Witchcraft.

* I. Stat. 1 Jac. 12. If any shall be convicted to have used Invocation or Conjuration of any evil Spirit, or to have consulted, covenanted with, entertained, employed, fed or rewarded any such Spirit, or taken up any dead person, or the skin, bone, or other part thereof, to have used in Witchcraft, Sorcery, Charm or Enchantment, or to have used any of the said Arts to kill, consume, and lame any person, they, together with their Accessories before the Fact, shall suffer as Felons, without benefit of Clergy.

II. If any shall be convicted to have by Witchcraft, Sorcery, Charm or Enchantment, undertaken to tell where any Treasure or Goods lost or stolen may be found or are become, or to provoke any to unlawful Love, or to destroy or hurt any Cattel, Goods or Person, albeit the same be not effected; they shall for the first Offence suffer one years Imprisonment without Bail, once every Quarter that Year stand six hours upon the Pillory in some open Fair or Market, and there make open confession of the Offence committed, and for the second Offence, shall suffer as Felons, without benefit of Clergy.

III. But in these Cases shall be no loss of Dower, or disinheritance of Heir. And a Peer (being an Offender) shall be Tried by his Peers.

Conspiracy.

I. Artic. super Chart. 10. 28 E. 1. Against Conspirators, Informers, and imbracers of Inquests, the King hath provided a Writ in the Chancery, and the Justices of either Bench and Justices Assize shall upon every Plaint thereof award Inquests thereon without Writ.

II. Stat. 33 E. 1. Conspirators are such as bind themselves by Oath or other Alliance falsely and maliciously to inflict, and falsely move and maintain Pleas, and such as cause Children within age appeal Men of Felony, and retain Men to maintain their malicious Enterprizes; and this extendeth as well to the Takers as Givers.

and also Stewards and Bailiffs, who by their power maintain Debates that concern not their Lords, but other parties.

III. Stat. 7 H. 5. Whereas divers have been Indicted for Treasons and Felonies supposed to be committed in Places, there being none such to be found: every Justice having power to hear and determine such Offences by the Oath of Twelve Men, (whereof each shall have Free-hold within the County of the yearly value of 4 l. besides all Reprises) shall before *Exigent* enquire of Office, whether there be (indeed) any such Place or no: And if there be no such Place or Places in the County where no such Appeals or Indictments are made, they and the Process thereupon shall be void, and the Indicters shall be punished by Imprisonment, Fine and Ransom, at the discretion of the said Justices: and if any *Exigent* be awarded before Inquisition, it shall be also void. This Act to continue in force until the next Parliament.

IV. Stat. 9 H. 5. 1. The Statute of 7 H. 5. shall continue in force until the next Parliament after the Kings return from beyond Sea.

V. Stat. 18 H. 6. 12. The Statute of 9 H. 5. 1. made perpetual, because (H. 5. dying beyond Sea) some were of opinion it was expired.

Constable and Marshal.

I. Stat. 8 R. 2. 5. The Constable and Marshal shall not have Consuance of Pleas or Suits which ought to be discussed at the Common Law.

II. Stat. 13 R. 2. Stat. 1. 2. The Constable of England hath cognisance of things concerning Arms and Wars, which cannot be discussed by the Common Law.

III. In this Court the Plaintiff shall plainly declare his matter in his Petition before the Defendant be sent for.

IV. When a Plea is commenced before the Constable and Marshal which may be Tried at the Common Law, the party grieved shall have a Privy Seal to cause the Constable and Marshal to cease, until it may be decided by the Kings Council whether it may be Tried there or at the Common Law.

Contra Formam Collationis.

I. 2 Inst. 2. 41. 13 E. 1. If Lands given to Abbies, Priories, Hospitals, or other Religious Houses, or to maintain a Chauntry, a Light, or Alms, be alienated, the King shall seise it, and the Purchaser shall lose both the Land and his Money.

II. If the House were founded by a Subject, he shall recover the Land by a Writ; which see in the Statute at large.

III. If it were given to maintain a Chauntry, a Light, or Alms, and not alienated, but the Duty withdrawn two years together, the Donor or his Heir shall recover it by *Cessavit*.

Conben:

Conventicles.

I. Stat. 16 Car. 2. cap. 4. An Act to prevent and suppress Seditions Conventicles. *Expired.*

II. Stat. 22 Car. 2. cap. 4. If any of the age of 16 years or upwards, being a Subject of this Realm, shall be present at any Conventicle under pretence of any Exercise of Religion, in other manner than according to the Church of England, at which there shall be five or more besides those of the Household, where there is one, any Justice of Peace or chief Magistrate of the Place, on proof by Confession, Oath of two Witnesses, or notorious Evidence of the Fact, may make a Record of such Offence, which Record shall be a Conviction, and set a Fine of 5 s. for the first Offence, which Record shall be certified at the next Quarter Sessions, and for the second 10 s. to be Levied by Distress and Sale of the Offenders Goods, or in case of poverty, on the Goods of others then convicted of the like Offence at the same Conventicle, so as the Sum Levied on any one amount not to above 10 l. on occasion of any one Meeting.

III. Constables, Headboroughs, Tything-men, Churchwardens and Overseers of the Poor, shall Levy the same by Warrant of the said Justice, or chief Magistrate, &c. the Money to be delivered to the said Justice, or, &c. one third for the Kings use, which the Justices shall pay into the Quarter Sessions, which Court shall deliver it to the Sheriff, and make a Record of such payment and delivery, which shall discharge the Justices, and charge the Sheriff, both which shall be certified into the Exchequer; another third to the Poor of the Parish where the Offence is committed, the other third to the Informer, and such as the Justices shall appoint, having regard to their industry in discovering and dispersing such Conventicles.

IV. Every person convicted as aforesaid of Preaching at any such Meeting, shall forfeit for the first Offence 20 l. and if it be a Stranger, and his Name and Habitation not known, or he cannot be found, or be unable to pay, the Justice, or, &c. may Levy it upon any persons that were present: and for the second Offence 40 l. to be Levied and disposed *ut supra*.

V. Every person convicted as aforesaid, of wittingly suffering any such Meeting to be held in his House, Yard, &c. shall forfeit 20 l. to be Levied as aforesaid, and in case of his poverty, upon persons convicted of being present at the same, to be disposed as aforesaid.

VI. No person shall be liable to pay above 10 l. for any one Meeting in regard of the poverty of others.

VII. Where the Sum charged upon any Offender exceeds 10 l. he may within a week appeal in Writing to the Quarter Sessions to whom the Justice or chief Magistrate, &c. shall return the Money Levied, and certifie under Hand and Seal the Evidence, with the whole Record and the said Appeal, whereupon such Offender may plead, and have his Trial by a Jury, and if he prosecute not within the term, or be not acquitted, or Judgment pass not for him, he shall

treble Costs; and such causes of Appeal shall be finally determined in the Quarter Sessions.

VIII. Upon delivery of such Appeal, the Appealant shall enter into a Recognizance to prosecute with effect, which the person convicting shall certify to the Quarter Sessions, for want of which Recognizance the Appeal shall be void.

IX. Every such Appeals shall be left with the persons convicting, at the time of the making thereof.

X. The Justices of Peace and chief Magistrate, &c. or the Constables, Headboroughs, &c. by Warrant from them may with what assistance they think fit, break and enter any House where they shall be informed any such Conventicle is, within Liberties and without, and take into custody the persons so Assembled: and the Lieutenants, Deputy-Lieutenants; or any Commissionated Officer of the Militia, or other the Kings Forces, with Horse and Foot; and the Sheriffs and other Ministers of Justice, with such assistance as they think meet, or Certificate under Hand and Seal of any Justice of Peace or chief Magistrate, of such Meeting, that he is not able to suppress, may dissolve such Meetings, and take into custody such persons as they think meet.

XI. No Dwelling-house of a Peer, where he or his Wife shall be resident, shall be searched but by a Warrant under the Sign Manual, in the presence of the Lieutenant, or one Deputy-Lieutenant, or two Justices of Peace, whereof one to be of the *Quorum*.

XII. If any Constable, Headborough, &c. knowing or being informed of such Meetings within his Precinct, shall not inform a Justice of Peace or chief Magistrate, &c. but they or others called in their aid shall wilfully omit their Duty, and be convicted thereof as aforesaid, they shall forfeit 5 *l.* to be disposed as aforesaid. And Justices of Peace, and chief Magistrate, &c. omitting their Duty shall forfeit 100 *l.* one moiety whereof to the Informer, to be recovered in any of the Kings Courts at *westminster*.

XIII. Persons Sued for not putting this Act in execution (other than upon Appeal) may plead the General Issue, and if the Plaintiff be Nonsuit, or a Verdict pass for the Defendant, or the Plaintiff Discontinue, or upon a Demurrer Judgment be for the Defendant, the Defendant shall have treble Costs.

XIV. This Act shall be construed largely for suppression of Conventicles, and encouragement of persons employed in the execution thereof; and no Proceedings upon this Act shall be impeached for defect of form: and if any offending against this Act shall be an Inhabitant in, or flee to any other County or Corporation after such Offence committed, the Justice of Peace or chief Magistrate before whom he shall be convicted, shall certify it to any Justice of Peace or chief Magistrate of such other County or Corporation, who shall levy the Penalties aforesaid.

XV. None shall be punished for any Offence against this Act, unless they be prosecuted within three months after such Offence, nor having

having been punished by vertue of this Act, shall be punished by the same Offence upon any other Law.

XVI. Aldermen of *London* shall have the same Authority for convicting and punishing Offences against this Act in *London* and the Liberties thereof, which any Justice of Peace hath in any County *England*, and under the like Penalties.

XVII. The Penalties of Feme-coverts cohabiting with their Husbands, shall be Levied on their Husbands Goods.

XVIII. No Peer of the Realm shall be Attached or Imprisoned by vertue of this Act.

XIX. The Kings Supremacy in Ecclesiastical Affairs saved.

Conusance.

I. Stat. 9 H. 4. 5. Where in Assises and Pleas of Land or within Franchises and ancient Demesne against certain persons Names of the Mayors, Bailiffs or Commonalties in Franchises, of the Lords or Bailiffs in acient Demesne, are therein also by Collusion inserted, supposing them also to be Disseisors, or Tenants of the Land, and with purpose to exclude them from the Conusance of the matter in Plea, which by reason of their Franchises and Liberties ought to be discussed before them; in such Assises and Writs the Justices shall (upon request) first enquire by the Assize, whether they be (indeed) Disseisors or Tenants, or whether their Names be inserted by fraud, as aforesaid.

II. If it shall be found by fraud, the Assises or Writs shall abate, and the Plaintiff shall be grievously amerced, notwithstanding there be others named therein who are in truth Disseisors or Tenants.

III. Stat. 8 H. 6. 26. In Assises or personal Actions, if the defendant make default by Collusion, with purpose that Mayors, Bailiffs, or other Commonalties, or Lords and Bailiffs, should lose their Jurisdictions, the Justices shall (upon request) enquire thereof in Assises or Inquests, where both the Plaintiffs and the owners of such Franchises and Liberties may have their Challenges. And if Collusion be found, the Writs shall abate, and the Plaintiff shall be amerced.

Copyholds.

I. Stat. 7 Jac. 21. Compositions made by Decrees in the chequer and Dutchy Chambers, with the Kings Copyhold-Tenants concerning their Copyholds, within three years from the first of this Parliament, are confirmed, saving the right of others.

* **Cordwainers, Curriers, Tanners, and Leather.**

* I. Stat. 27 H. 14. None shall pack any Leather to be Transported but by a Packer sworn, in pain to forfeit the Leather, or the value thereof: And every Stranger shall pay for the Custom of a Dicker of Leather 4 s. 9 d. and a Denizen 4 s. 1 d.

II. The Controllers shall name and appoint a Toller in every Port where none are, and shall also give him his Oath for the due execution of his Office in the presence of the Customer and Controller, or his or their Deputy or Deputies.

III. The Fee for Tolling Leather is for every Dicker, of a Stranger, 6 d. whereof the Toller is to have 2 d. and the Commonalty there the rest; of a Denizen 4 d. to be divided betwixt the Toller and the Commonalty; and of a Free-man of the Port 2 d.

IV. The Customers and Controllers shall also appoint and swear a Packer in every Port respectively, who may put up in one Pack as many Dickers under seven as the owner of the Leather pleaseth; and his Fee is 4 d. a Pack.

V. If the Packer pack any Leather before it be Tolled and Entred by the Customer or his Deputy, or pack more than shall be Entred, he shall forfeit for every such offence 5 l. and suffer Imprisonment at the Kings pleasure: and if the Toller number any Leather in the absence of the Customer, Controller, or his or their Deputy or Deputies, he shall forfeit 5 Marks.

VI. If any Stranger, or his Factor, convey any Leather from one Port to another, with an intent to Transport it also afterwards from the second Port, he shall cause them to be Tolled, Entred and Packed at the second Port, and shall have a Certificate thereof from the Customer there, in pain to forfeit the same, or the value thereof.

VII. None having a Tan-house shall Transport any Leather without the Kings Licence,) in pain to forfeit the same, or the value thereof.

VIII. These Forfeitures shall be divided betwixt the King and the Prosecutor.

IX. This Act shall not prohibit a Captain of a Ship of the Kings time of War, nor the Owner nor Master of a Ship bound for a voyage, to take salt Hides with them, so they exceed not the number of 18. Also untanned Hides of Beasts killed in wales, or the marches, may be Transported notwithstanding this Act, except by the keeping a Tan-house.

* X. Stat. 5 E. 6. 15. None shall buy or ingross Leather, to the intent to sell the same again, in pain to forfeit the same Leather, or the value thereof, to be divided betwixt the King and the Prosecutor or Seiser.

XI. This Statute shall not restrain Girdlers, or other Artificers,

to sell their Necks, Wombs, or Shreds; nor the buying of so much Leather as the party which buys it hath licence to Transport.

XII. None shall Transport Shoes, Boots, Buskins, Startups, or Slippers, in pain to forfeit the same, or the value thereof, to be divided betwixt the King and the Prosecutor or Seiser.

XIII. No Girdler, or other Cutter of Leather, shall Curry it in his own House, in pain to forfeit the same, to be divided betwixt the King and the Prosecutor.

* XIV. Stat. 1. *M. Parl.* 2. 8. No Artificer using the Mystery of Leather-buying, shall buy any Leather, and sell the same again to be Transported, in pain to forfeit the same, to be divided betwixt the King and the Prosecutor.

XV. No Curriers in *London* shall use their own Stuff, in pain to forfeit the Leather otherwise Curried.

XVI. No Currier shall Curry any Hides betwixt *St. James's* and the *Lady-day*, but onely such as have been sufficiently dipped twice in the Pan, in pain to forfeit the same, to be divided as aforesaid.

XVII. A Currier shall Dress his Leather within the space of five days in Summer, and of ten days in Winter, in pain to forfeit the party grieved for every Hide otherwise Dressed, 10 s.

* XVIII. Stat. 5 *Elix.* 22. None shall make any Pelts, or pull or take away any Wooll from any Sheep or Lamb-skins, or any kind of Srag, Hind, Buck, Doe, Goat, Fawn, or Kid, or any Pelts of any of them, unless they make thereof Tawed, or Leather lawfully Tanned, or Parchment, or otherwise convert the same to Semits, Pannels, or other their own necessary uses, in pain to forfeit the value of such Skins, and 2 s. 6 d. for every Skin otherwise used.

* XIX. Stat. 18 *Elix.* 6. None shall Ship any Leather, Tallow, or raw Hides, (except *Scotch* Hides, according to the Proviso of 5 *Elix.* 8. now repealed by 1 *Jas.* 22.) in pain to forfeit the same, and the treble value: and the Owner of the Ship, knowing the same, to forfeit his Ship, and the Furniture thereof; and the Master thereof, also knowing the same, to forfeit all his Goods and to suffer one years Imprisonment without Bail. The Forfeitures are to be divided betwixt the King and the Prosecutor.

XX. If the Owner, Master, or Mariner, within three months after his knowledge thereof, or at his return into *England*, shall upon Oath discover it *bona fide* to one of the Barons of the Exchequer, either of the Lords Presidents, or an Head-Officer of the Court where he Lands, and afterwards shall be ready to justify it, he shall be thereupon excused.

XXI. He that Transports any Leather, Tallow, or raw Hides (otherwise than according to the aforesaid Proviso) shall pay by Name of Subsidy 10 s. for every Hide 3 s. 1 d. for every dozen Calve-skins, and 6 s. 8 d. for every 100 weight of Tallow.

XXII. The Customers, &c. shall be accountable to the Queen

for the said Subsidy, and shall pay the same unto her, upon the pain contained in 3 H. 6. 3.

* XXIII. Stat. 1 Jac. 22. None shall gash any Hide, in pain of 20 s. nor water them, except in *June, July, and August*, nor put them to sale being putrified, in pain to forfeit for every Hide so watered or put to sale, 3 s. 4 d.

XXIV. None shall kill any Calves under five weeks old, in pain to forfeit for every Calf so killed, 6 s. 8 d. Rep. 22 & 23 Car. 2. cap. 19.

* XXV. No Butcher shall exercise the Mystery of a Tanner, in pain of 6 s. 8 d. for every day he so continues both Professions.

XXVI. None shall be Tanners but such as have served seven years as Apprentices or hired Servants in that Trade, or the Widow or Children of a Tanner, having a Tan-fat left them, and having been brought up in that Profession by the space of four years, in pain to forfeit all the Leather they Tan, or the full value thereof.

XXVII. None that useth the cutting or working of Leather shall be a Tanner, in pain to forfeit all the Leather he Tans, or the value thereof.

XXVIII. None shall buy any rough Hides, or Calve-skins in the Fair, but onely such as do or may lawfully Tan them, (except salt Hides, for the necessary use of Ships) in pain to forfeit them, or the full value: Neither shall any forestall Hides, but buy them in Fair or Market, (except such as kill Beasts for their own provision) in pain to forfeit for every Hide otherwise bought, 3 s. 8 d.

XXIX. None shall buy any Tanned Leather unwrought, but onely such as will and shall convert the same into made Wares.

XXX. This Act shall not restrain Artificers from buying Tanned Leather every Munday at *Leaden-hall*, to be converted into made Wares, being first duly Searched, Sealed and Registered, as hereafter limited; nor Girdlers, or Sadlers from selling their Necks or Heads of Tanned red Leather.

XXXI. The Tanner that over-limes his Hides, or useth in his Tanning any thing save Ash-bark, Oak-bark, Tapwort, Malt, Meal, Culver-dung, or Hen-dung, or suffers them to be frozen, or parched with Fire or Sun, or Tans such as are rotten by long time, or otherwise, or continues not utter-sole Leather 12 months in the Woozes, and upper Leather 9 months, or doth negligently sell his Hides in the Woozes, not renewing and strengthening them as often as need shall require, or doth work them in any other sort than is by this Statute limited, shall forfeit every Hide so Tanned and put to sale, or the full value thereof.

XXXII. No Tanner shall by mixtures raise any Hide for Sole-leather which shall not be fit for that use, in pain of forfeiting the

XXXIII. None shall put to sale any Tanned Leather red and wrought, but in open Fair or Market, unless the same hath been Searched and Sealed in some Fair or Market before; neither any offer to sell any such Leather before it be Searched and Sealed in pain to forfeit for every Hide otherwise put to sale, 6 s. 8 d. and for every dozen of Calve-skins or Sheep-skins, 3 s. 4 d. below the Hides and Skins themselves, or the full value thereof.

XXXIV. None shall put to sale any Leather insufficiently Tanned or Dried, in pain to forfeit the whole, or at least so much as shall be misused.

XXXV. No Tanner shall hasten the Tanning of his Leather giving it unkind Heats with hot Wooze, or otherwise, in pain to stand upon the Pillory three days in the next Market.

XXXVI. None shall buy or ingross Bark, to the intent to sell the same again, in pain to forfeit it, or the value thereof: neither shall any fell Oak-trees apt for Barking, where Bark is worth the Cart-load, (Timber for the necessary repair of Houses, and Mills, excepted) but onely betwixt the first of April and last of June, in pain to forfeit the Trees otherwise felled, or the full value of the same.

XXXVII. Purveyors of Trees for the Kings use, shall sell the same onely in Barking-time, (except for the present repair of the Houses or Ships) and shall take no more thereof from the Owner than what may serve the Kings present occasion; in pain to forfeit to the party grieved for every Tree, and for the Lop, Top, and Bark of every Tree taken contrary to this Act, 40 s. And it shall be lawful for the Owner to retain the Lop, Top, and Bark of every such Tree.

XXXVIII. A Currier shall not Carry Hide or Skin which is not sufficiently Tanned and Dried, and that in his own House, since some Corporate or Market-Town, and not elsewhere: neither shall he gash, or other way spoil or impair them, but work them sufficiently in all points, in pain to forfeit for every Skin or Hide spoiled (otherwise than by gashing in shaving them) 6 s. 8 d. besides the value of the same Skin or Hide; and for gashing them to forfeit to the party grieved twice so much as he impairs thereby.

XXXIX. No Artificer within London or three miles distant from shall put any Leather to be Curried, save onely to some person free of the Company of Curriers in London, in pain to forfeit the same, or the value thereof.

XL. None within the aforesaid Jurisdiction of London shall put into made Wares any Curried Leather before the same be Searched and Sealed, in pain to forfeit for every Hide or Skin 6 s. 8 d. and also the value of every such Hide or Skin.

XLI. A Currier shall not use the Art of a Tanner, Cordwainer, Shoe-maker, Butcher, or of any other Artificer which useth the cutting of Leather, in pain to forfeit for every Hide or Skin Curried during that time 6 s. 8 d.

XLII. No Currier (sufficient Stuff being tendered unto him) shall be sufficiently to Curry Leather within eight days in Summer, and sixteen days in Winter, after he shall or may take it in hand, in pain to forfeit for every Hide or piece of Leather not Curried accordingly, 10 s.

XLIII. The Wardens of the Company of Curriers (or Officers them appointed) shall within one day after request made unto them, Search and Seal Leather Curried, for which the Curriers shall pay after the rate of 1 d. for ever Dicker of Hides, and as much for every six dozen of Calve-skins. And the Currier shall forfeit for every Hide not Searched and Sealed as aforesaid, 6 s. 8 d.

XLIV. Shoe-makers shall make their Boots, &c. of good and sufficient Stuff, sew them well, and not put them to sale upon Sunday; in pain to forfeit for every such default or offence 3 s. 4 d. Also the full value of all Wares otherwise made or sold.

XLV. The Masters and the Wardens of the Company of Shoemakers, Curriers, Girdlers and Sadlers, within the Jurisdiction of the City of London aforesaid, or the more part of them, shall once every Quarter (or oftner, if need require) make Search and View of all Wares made of Tanned Leather, in pain to forfeit 40 s. for every years default, to be divided betwixt the King and the Prosecutor; and also have power to seise all insufficient Wares found upon the same.

XLVI. The said Masters and Wardens shall onely Search the Wares of such as are of their own Professions; and Coach-makers shall be under the Survey and Search of the Company of Sadlers.

XLVII. The Mayor and Aldermen of London shall (within the Jurisdiction, and upon the like pain of 40 s. to be employed as aforesaid) chuse and swear eight expert Men out of some of the Companies aforesaid, to be Searchers and Sealers of all Tanned Leather there, whereof one shall be assigned to keep the Seal.

XLVIII. Head-Officers in Corporate and Market-Towns, and in the Liberties, shall yearly in all other parts of the Kingdom (upon the like pain of 40 s. to be employed as aforesaid) appoint two, three, or more, honest and skilful Men, to be Searchers and Sealers of Leather, who shall have power to Seal sufficient Wares, and likewise to seise and retain such as be insufficient, until they shall be tried by Triers to be hereafter appointed in Act.

XLIX. There shall be appointed six Triers of insufficient Leather and Leather-wares which shall be seised within the said Jurisdiction of London; and when any such Leather or Wares are seised in any other Jurisdiction, the chief Officer, or Lord of the Liberty, or his Deputy, shall cause trial thereof to be made, by the oath of six honest Men, upon some Market-day, and within 15 days after such seizure made.

The Lord Mayor of London, and the Head-Officer, and Lord of the Liberty aforesaid, shall appoint Triers in their several Jurisdictions.

ons, in pain of 5 *l.* to be divided betwixt the King and the Pursuivant: and these Triers shall do their Duties in that Office without delay, in pain to forfeit for every default, 5 *l.*

LI. Four of the Triers in *London* shall be yearly changed, and ther four placed in their rooms, and none shall continue in that Office there above two years: and if any happen to be Trier years together, he shall not be chosen again within three years: and in pain to forfeit for every month he continues otherwise in that Office, 10 *l.*

LII. No Searcher or Sealer of any Leather shall refuse without convenient time to do his Office, or allow any Wares which are sufficient, in pain of 40 *s.* and shall not take Bribes, or exact more than due Fees, in pain of 20 *l.* nor being lawfully elected shall refuse the Office, in pain of 10 *l.*

LIII. All red Tanned Leather, which shall be brought within the aforesaid Jurisdiction of *London*, shall be carried to *Leaden-Hall* before it be Housed, and there Searched, Sealed and Registered by the Officers aforesaid, for which, if it were Sealed before, (out of the said Jurisdiction) they shall take half Fees only.

LIV. None shall sell any Tanned Leather within the aforesaid Jurisdiction of *London*, before the Officers there have Searched and Sealed it, in pain to forfeit the same, or the value thereof.

LV. None shall withstand the Searchers and Sealers in the execution of their Office, nor the seising of insufficient Wares, in pain of 5 *l.*

LVI. The aforesaid Searchers and Sealers shall Register all red Tanned Leather sold in Fairs or Markets, together with the names thereof, and the Names and Dwelling-places of the Buyer and Seller, (being thereunto required by the said Buyer and Seller) as well of the Buyer as the Seller 2 *d.* for every ten Hides, Black Butts soal-leather, and 2 *d.* for every six dozen of Calves or Sheep-skins and no more.

LVII. None shall sell any Tanned Leather (red or unwaxed) before it be Registered, in pain to forfeit the value thereof.

LVIII. None shall buy any Tanned Leather before it be Searched and Sealed, nor carry it out of the Fair or Market before Registered, in pain to forfeit the same, or the value thereof.

LIX. The Currier within the Jurisdiction of *London* shall show which Currieth not his Leather sufficiently, and every other Artificer there (using Tanned and Curried Leather) which putteth his Wares Leather insufficiently Tanned or Curried, shall in pain for every such default the said Wares, and the just value thereof.

LX. No such Artificer shall sell any Wares but in open Shop or Market, where due search may be made, in pain to forfeit the Wares otherwise sold, and besides 10 *s.* for every such offence.

LXI. Here the sums of Money aforesaid forfeited shall be divided into three parts, whereof the King is to have one, the Pursuivant the other, and the City, Corporation, or Lord of the Liberty, the third.

LXII. The value of the Wares forfeited within the Jurisdiction of London, after Praisement, shall also be divided into three parts, whereof one shall be given to the Seisor, another to the Chamber of London, and the third to the Poor; and in all other Places, one third part to charitable Uses, another to the Head Officer or Lord of the Liberry, and the third to the Seisor or Seisors for his or their gains.

LXIII. None shall buy any forfeited Wares to sell them again, on pain to forfeit for every Parcel thereof 3 s. 4 d.

LXIV. This Act shall not prejudice the Authority of the Universities, so that their Officers observe the Provision of this Act under the Penalties in this Act contained.

LXV. The Hides or Skins of Ox, Steer, Bull, Cow, Calf, Deer, Goats and Sheep, being Tanned or Tawed, and salt Hides, are reputed Leather within the Letter of this Statute.

LXVI. Justices of Assize of Gaol-delivery and of Peace, Sheriffs of Leets, the Mayor of London, and Head Officers within their several Precincts, have power to hear and determine these Offences.

LXVII. The Kings Steward of a Leet of Liberry shall have the same Authority, and be subject to the same Penalties, that a Lord of a Leet hath and is subject to.

LXVIII. It shall be lawful for all Artificers (save onely Shoemakers between September and the Twentieth of April,) to use Dry, Curried and Frised Leather, being well Tanned according to this

LXIX. This Act shall not extend to Wales.

LXX. If any Customer, or other such Officer, having notice of the Transporting of any Leather, do not use his best endeavour to seize it, or, being Transported, do not disclose it within fourty days, he shall forfeit for the first default 100 l. and for the second in this Place: and every such Officer for making a false Certificate of the arrival of any Leather, shall also forfeit 100 l.

LXXI. This Act shall not extend to Scotch Hides brought to

LXXII. Licences to dispense with the Offences prohibited by this Act, shall be void.

LXXIII. Stat. 4 Jac. 6. There shall be no Penalty for housing, buying or selling Sheep-skins unsealed.

LXXIV. None shall sell Tanned Leather by weight, in pain to forfeit the same, or the value thereof, to be divided between the King and the Prosecutor.

LXXV. Stat. 13 & 14 Car. 2. cap. 7. None shall carry or transport into Scotland, or beyond Sea, Skins Tanned or Untanned of Oxen, Steers, Bulls, Cows, or Calves, in other manner than is directed: nor out of any Island belonging to this Kingdom, except Ireland, to any Place but England, on pain to forfeit double value of the Skins Transported out of any of the said Islands to any Place but England.

LXXVI. All red Tanned Leather made of the Skins aforesaid shall be bought in open Leather Markets, on pain to forfeit the value, and the Contract for the sale to be void : and shall be Searched and Sealed before it be exposed to sale, and upon being Entered with the Register by Buyer and Seller, both present, and their Names and Places of abode, on pain to forfeit it or the value.

LXXVII. Persons found guilty of Transporting any Leather Hides aforesaid (except such Calves-skins and Sheeps-skins Dressed without the Woolf, as by Law may be Transported) shall be liable to Deal in Leather, and forfeit 500 l. but Leather made into Boots, Shoes or Slippers, may be Transported.

LXXVIII. The Masters and Wardens of the Cordwainers, Curriers, Girdlers, and Curriers of London, and their Deputies, all officers belonging to the Customs, all Justices of Peace, Mayors, chief Officers of Corporations, may search for, and seise Leather, raw Hides purposed to be Transported, other than Calves-skins and Sheeps-skins as aforesaid.

LXXIX. They that shave, cut, and rake their upper-leather Hides all over, and the Necks of their Backs and Butts, shall forfeit them or their value, and the Searchers and Sealers of Leather shall seise the same. The Market for Leather in *Leaden-Hall* in London shall be kept on the *Tuesday*, as now it is.

LXXX. The said Forfeitures shall be recovered by Act of Parliament, Bill, Plaint, &c. in the Courts at *Westminster*, or any other Court of Record, nor shall the same be removed thence : and one half shall be to the King, the other to the Informer.

LXXXI. Such Transportation contrary to this Act is declared common Nuisance. But this Act shall not extend to prohibit the carrying Hides or Leather for the use of Ships, not exceeding five and three Tanned Hides.

LXXXII. All that shall buy red Tanned Leather within two or three miles thereof, shall before the next Market-day in the Place for Leather, give notice thereof to some Currier within the said compass, and within three weeks after that deliver it, except what shall be used for Soals, to be Dressed, as by *cap. 22.* or forfeit 6 s. 8 d. for every Back, Butt, Hide, or Calves-skin not delivered.

LXXXIII. The Master and Wardens of the Company of Curriers, or whom they shall appoint, may enter into any Place within the said compass, belonging to any Dealer in cutting Leather in the presence of any two of them search for, and seise all Leather prohibited to be used by the Clause in 1 Jac. (*supra* Paragraph 1) and Wares made thereof. They that oppose, or refuse to suffer such Search or Seizure, shall forfeit 20 l. and all Dealers in Leather that refuse to be present with the said Searchers, when summoned, shall forfeit 10 l. to the uses, and to be recovered as before.

LXXXIV. Stat. 20 Car. 2. cap. 4. An Act for giving Liberty
to Buy and Export Leather and Skins Tanned or Dressed. Exp.

✶ Corn and Grain.

* I. Stat. 5 Eliz. 12. None but a married Man and Household-
er of the age of 30 years (at the least) shall take upon him to be a
Badger, Lader, Kidder, Carrier, Buyer or Transporter of Corn or
Grain, Butter and Cheese; neither he without Licence in open
Sessions of the County where he hath dwelt by the space of three
years before, under the Hands and Seals of (at least) three Justices,
(*Qu.*) in pain of 5 *l.* which Licence shall remain in force for one
year onely from the date thereof: and all Licences otherwise grant-
ed shall be void.

✶ II. The Justices of Peace in Sessions shall (at their discre-
tion) take Recognisances of Badgers, &c. that they shall not fore-
all or ingross, or put in practice any Act contrary to 5 & 6 E. 6

III. The Clerk of the Peace shall write and enter the Licence
and Recognisance: and his Fees shall be, *viz.* for writing the Li-
cence 12 *d.* for writing the Recognisance 8 *d.* and for entering them
into a Register-Book 4 *d.* which Book he shall bring to every
Sessions.

IV. This shall give liberty to any Badger, &c. to buy Grain out
in open Fair or Market, (to sell again) unless there be special
warrant in his Licence to warrant the same, in pain to forfeit for
every time so offending 5 *l.*

V. These Forfeitures are to be divided betwixt the Queen and
the Prosecutor.

VI. The Queens moiety shall be Estreated according to the usual
order, and the Prosecutors Levied by *Fieri facias* or *Capias*: but
if the Suit is wholly the Queens, the whole shall be Estreated
for her use.

VII. Justices of Peace have power to hear and determine these
offences in Sessions by Inquisition or Verdict, or otherwise upon
the Oath of two Witnesses, (at their discretions) and to make
poenies thereupon.

VIII. This Act shall not restrain Purveyors of Cities and Towns
incorporate, neither yet the Inhabitants of the Counties of *Westmor-*
land, Cumberland, Lancaster, Chester and York.

✶ IX. Stat. 13 Eliz. 13. For the increase of Tillage, and
the maintenance of the Navy and Mariners, the Lords Presidents
of the Councils in the North and *wales*, Justices of Assize in their
Sessions, and Justices of Peace in their Sessions, have power to li-
mit or prohibit the Transportation of Grain at their discretions:
provided their Order be first approved by the Queen or her Coun-
cill, which also may be countermanded by the Queens Proclamati-
on if there be cause for it.

X. Stat. 3 Car. 4. Corn may be Transported to the Kingdom
lies when Wheat is sold for 32 s. Rye for 29 s. Beans for 24 s.
and Barley or Malt for 16 s. the Quarter, or under.
See Title Trade, Num. I. and XIII.

Cornwall.

I. Stat. 2. 13 Car. 2. cap. 4. Leases made or to be made within
three years by the King, under the Great Seal, or Seal of the
Exchequer, or by Copy of Court Roll of Offices, Parks, Lands,
Hereditaments, (other than Honours, Lordships or Manors)
parcel of the Possessions of the Duchy of Cornwall, shall be
good in Law.

II. Such Leases, if in Possession, shall be but for Three lives
Thirty one years, or for some term of years determinable
by one, two, or three Lives: if in Reversion, they, together with
Estates in Possession, shall not exceed Three lives, or Thirty
years, nor be dispunishable of Waste: and the ancient Rent shall
be reserved, or such Rent as hath been paid the greater part of
ten years before the making of such Leases: and where no Rent
has been reserved, there shall be reserved a reasonable Rent not
more than the fourth part of the clear yearly value.

III. All Covenants, Conditions and Agreements in every
Lease, Grant or Copy, shall be good in Law.

IV. Stat. 22 Car. 2. cap. 7. Another Act to the same effect in
points: onely, that upon Leases to be made by virtue of this Act,
where no Rent hath been reserved, there shall be reserved a reasonable Rent
under the 20th part of the clear yearly value.

V. And whereas of late increased Rents have been reserved
on many Estates of the said Duchy, whereof the Tenants have
complained, Be it Enacted that in case any of the Copyhold Tenants
of the said Duchy, shall within three years agree with the
Treasurer, or Commissioners of the Treasury, or the Chancellor
under-Treasurers of the Exchequer, or such as they shall appoint
for taking off such increased Rents according to Directions
in Writing under their Hands, such increased Rents shall cease
on such Agreement made, and money paid to the Receiver
General of the Duchy, and onely the old, or such other Rent as shall
be directed by such Agreement, be charged.

VI. Stat. 25 Car. 2. cap. 3. Another Act to the same purpose in
points, except what is contained in the fifth Section, concerning
nothing is here Enacted.

Coroner.

I. Stat. 1. 10. 3 E. 1. Sufficient Men of the most wise and
creeet Knights shall be chosen in all Counties for Coroners.

II. The Sheriffs shall have Counterparts with the Coroners in
things which concern their Office.

III. T

III. They shall take nothing of any man to do their Office, in pain of great Forfeiture to the King.

IV. Stat. 4 E. 1. *Officium Coronatoris. See the Statute at large.*

V. Stat. De Exonia, de inquisitione super Coronatoribus, 14 E. 1. See the Statute at large, together with the Articles thereunto annexed.

VI. Stat. 14 E. 3. 8. A Coroner shall have sufficient in the County whereof to answer all people.

VII. Stat. 28 E. 3. 6. Coroners shall be chosen in the full Counties, of the most convenient and lawful Men; saving unto the King and other Lords (that may make Coroners) their Franchises.

VIII. Stat. 1 H. 8. 7. Where one is slain by misadventure, the Coroner shall execute his Office without Fee, in pain of 40 s.

IX. Justices of Assize and Peace have power to inquire of, and punish the Defaults and Extortions of Coroners.

Corporation.

I. Stat. 19 H. 7. 7. Corporations shall not make or execute Ordinances in diminution of the Prerogative of the King, or other, or against common profit, except approved by the Chancellor, Treasurer, and the Chief Justices, or three of them, or by the Justices of Assize, in pain of 40 l.

II. They shall make no Ordinance to restrain Suits in the Kings Court, upon the like pain of 40 l.

III. Stat. 22 H. 8. 4. They shall take but 2 s. 6. d. for the first entry of an Apprentice, and 3 s. 4. d. for his entry of Freedom, in pain of 40 l. to be divided betwixt the King and the Prosecutor.

IV. Stat. 28 H. 8. 3. No Corporation shall by Oath or Bond detain any Apprentice or Journey-man from keeping Shop, or receive money of them for their Freedom, or the Occupying in their Profession, otherwise than is limited by 22 H. 8. 4. in pain of 40 l. to be divided as aforesaid.

V. Stat. 33 H. 8. 27. In Acts to be done by Corporations, the consent of the greater part shall bind, and the Oath taken by them to the contrary shall not be observed.

VI. No person shall hereafter give any such Oath, in pain of 5 l. to be divided betwixt the King and the Prosecutor.

VII. Stat. 2. 13 Car. 2. cap. 1. None shall bear any Office of Magistracy or other Employment concerning the Government of Cities, Corporations, Boroughs, Cinque-Ports, and their Members, and other Port-Towns, that shall not within one year before their Election have taken the Sacrament according to the Rites of the Church of England, and every person so placed or chosen, when the Oath for due execution of their Places shall be Administred, shall take the Oaths of Allegiance and Supremacy, and this Oath; viz.

I A. B. do declare and believe, That it is not lawful upon any pretence whatsoever to take Arms against the King, and that I do abhor that traitorous

traiterous Possessor of taking Arms by his Authority against his People against those that are Commissionated by him; So help me God. And shall subscribe this Declaration.

I A. B. do declare that I hold, That there lies no obligation upon or any other person from the Oath commonly called the Solemn League and Covenant; and that the same was in itself an unlawful Oath, and imposed upon the Subjects of this Realm against the known Laws and Liberties of this Kingdom. In default whereof every such placing of choice shall be void.

VIII. The said Oaths and Declaration shall be Administered to those who ought to tender the Oath for due executing the said Offices, and in default of such, by two Justices of the Peace of the Cities, &c. if such there be; else by two Justices of Peace of the respective Counties: who shall cause Memorandums to be made of all Oaths taken before them, and Subscriptions made, and deliver them once a year to the Town-Clerks, or other Register or Clerk of the said Cities, &c. to be entered in the Registers.

IX. Nothing in this Act shall extend to the prejudice of such as have Reversions of Offices belonging to the City of London, by virtue of any Order, Grant, Designation, &c. of the Lord Mayor or Court of Aldermen, made or granted before the late Wars, in respect of such Grant or Designation onely.

Corpus cum causa, Certiorari, Habeas corpus & Superfedeas.

I. Stat. 2 H. 3. Stat. 1. 2. If a *Corpus cum causa* or *Certiorari* granted out of the Chancery, to remove one that is in Prison upon an Execution at another mans Suit, he shall be remanded.

II. Stat. 43 Eliz. 5. No Writ of *Habeas Corpus*, or other Writ Sued forth to remove an Action, shall be allowed, unless it be delivered unto the Judge, or Officer of the Court, before the Jury appear, and one of them be sworn.

III. Stat. 21 Jac. 8. Process of the Peace and good behaviour shall not issue out of the Chancery or Kings Bench, but upon motion in open Court, and good cause shewed upon Oath, which shall be Indorsed upon the Writ. Howbeit if that Cause shall be afterwards disproved, the Judge or Judges of the said Courts (respectively) shall commit the Offendor to Prison, until he pay the party aggrieved all his Costs and Damages.

IV. All Writs of *Superfedeas* shall be void, unless such Process likewise granted upon motion as aforesaid, and upon such sufficient Sureties as shall appear to the Court upon Oath to be Subsidy Assessed at 3 l. Lands, or 10 l. Goods, and also, unless the Process against the Party for the Peace or good behaviour be bona fide and here, false Sureties procured for the gaining of such Writs shall be punished by the Judges.

Cousenage, Avel and Besayel, &c.

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V. *Compurgari* shall not be allowed, unless the Indicted will become bound with sufficient Sureties (such as the Justices of Peace in Sessions shall like of) to pay to the Prosecutor within one month after conviction, such Costs and Damages as the said Justices shall Assess.

VI. Stat. 21 Jac. 23. No Writ to remove a Suit commenced in an inferiour Court shall be obeyed, unless delivered to the Steward, &c. of the same Court before Issue or Demurrer joyned, so as such Issue or Demurrer be not joyned within six weeks after the Arrest or Appearance of the Defendant.

VII. An Action or Suit once remanded, shall never afterwards be again removed.

VIII. When the thing in demand exceedeth not 5 l. the Suit shall not be removed by any Writ, save onely by Writs of Error or Arreant.

IX. This Act shall onely extend to Courts of Record, where an utter-Barrister of three years standing is Judge, Recorder, Steward, &c. or Assistant to such Officer there, and not of Counsel in any Action there depending.

X. Neither shall this Act extend to any Action which cannot be Tried in such inferiour Courts.

Cousenage, Avel and Besayel.

I. West. 2. 26. 13 E. 3. In Writs of *Cousenage*, *Avel* and *Besayel*, the Tenants Answer (that the Plaintiff is not next Heir of the same Ancestor by whose death he demandeth his Land) shall be admitted and inquired, and according to the same Inquisition the Justices shall proceed to Judgment,

Cottages.

I. Stat. 31 Eliz. 1. None shall erect or convert a Building to be a Cottage for Habitation, unless he lay four Acres of Free-hold of Inheritance so near unto it, that they may be conveniently coupled therewith, in pain to forfeit 10 l. to the Queen for every such Erection or Conversion, and 40 s. a month for the continuance.

II. No Owner or Occupier of any Cottage shall place or willingly suffer any more Families than one to co-habit therein, in pain to forfeit to the Lord of the Leet 10 s. for every month he so continues them together.

III. Justices of Assize, Justices of Peace in, their Sessions and Lords of Leets, have power to hear and determine these Offences.

IV. This Statute shall not extend to Cottages in Cities, Boroughs or Market-Towns, or provided for Labourers in Mines or Quarries within one mile from such Mines or Quarries, or for Sea-faring Men

Men within one mile of the Sea or a Navigable River, or for a War-
er, Warrener, Shepherd or Herdsman, or for an im potent per-
son or to any Cottages which upon an Order by Justices of Assise
open Assise, or Justices of Peace in Session, shall be decreed to
continue for Habitation, for so long time onely as by such Decrees
shall be tolerated.

✧ **Counterfeit Letters.**

I. Stat. 33 H. 8. 1. If any shall falsly obtain any Money or other
thing by colour of any false Token or counterfeit Letters, they
being thereof convicted by Witnesses or Confession before the Lord
Chancellor, the Lords of the Council in the Star-Chamber, Justices
of Assise, Justices of the Peace, or by Action in any Court of Re-
cord, shall suffer such punishment as shall be adjudged by the
Judge or persons before whom they shall be so convicted, the pain of
death onely excepted.

II. Justices of Assise and Justices of Peace (1 *Quar.*) shall have
power to convert (by Process or otherwise) to the Assises of Sessions
respectively, any person suspected to offend in that kind, and
Commit or Ball him until the Assises or Sessions, or otherwise
order him at their discretions.

III. Justices in Corporations have like Authority for the punishment
of such Offenders as Justices of Assise or Peace have in the
several Precincts respectively.

IV. The remedy of the party grieved by way of Action, is for

✧ **County and Turn.**

I. Magna Charta, 35. 9 H. 3. County-Courts shall be held
from month to month, or longer, if formerly so used: and the Sheriff
(or his Bailiff) shall keep his Turn in the Hundred at the same
Place, and that onely twice a year, viz. after Easter and Michaelmas.
Leets also shall be at Michaelmas without occasion.

II. Marlb. 10. 25 H. 3. Archbishops, Bishops, Abbots, Pri-
ors, Earls, Barons, or Religious Men or Women, are not to appear at
the Sheriffs Turns, except for some other cause; and such as are
Hundreds of their own shall not be bound to appear at such Turns
but onely in the Bailiwicks where they dwell.

III. West. 2. 32. 3 E. 1. No Sheriff shall suffer Barren-
Maintainers of Quarrels, or Stewards of great Lords, or other, (ex-
cept Attorney for his Lord) to make Suit, or to give Judgment in
the Counties, or to pronounce them, if he be not required so to do
by all the Suitors, and Attorneys of the Suitors there present; in
that both the Sheriff and they shall be grievously punished by
the King.

IV. Stat. 31 E. 3. Stat. 1. 15. Every Sheriff shall hold his Turn
yearly one time within the month after Easter, and another

in the month after *Michaelmas*, in pain to lose his Turn for the

V. Stat. 19 H. 7. 24. The Shire-Court for *Suffex* shall be hold-
one time at *Chichester*, and the next time at *Lewis*, *alternis vicis*;
in pain that the Courts otherwise kept, and the things there-
manifested, shall be void.

VI. Stat. 2, 3 E. 6. 25. County-Courts shall be adjourned from
month to month, and no longer.

VII. The Sheriff of *Northumberland* shall keep his County-Court
Newcastle, and not elsewhere.

Coupers.

I. Stat. 23 H. 8. 4. A Beer or Ale-Brewer shall neither by
himself or others (for his use) make any Vessel whereby they shall
sell their Beer or Ale to sale, but such onely as shall be made and
marked as is hereafter expressed, in pain to forfeit for every Vessel
made, 3 s. 4 d.

II. Coupers shall make their Beer and Ale-Vessels of good and
soundable Wood, and put their proper Mark thereupon.

III. A Beer-Barrel shall contain at least 36 Gallons, a Kilder-
kin 18, and a Firkin 9; and an Ale-Barrel 32 Gallons, a Kilder-
kin 16, and a Firkin 8; all of the Kings Standard Gallon. And if
the Couper make any bigger or lesser, he shall set the true Content
on them. Also the Couper shall not enhance the Prices of his
Vessels. In pain to forfeit for every such Vessel defective or inhan-
ced in Price, 3 s. 4 d. *viz.* For a Beer-Barrel 9 d. a Beer-Kilder-
kin 5 d. and a Beer-Firkin 3 d. also for an Ale-Barrel 16 d. and
an Ale-Kilderkin 9 d. and an Ale-Firkin 5 d.

Note that this Clause, for so much as concerns the Prices of Vessels, is
repealed by 8 Eliz. 9. But *Quere* whether it doth not yet stand in
force for defective Vessels. Vid. 8 Eliz. 9. *infra*.

IV. No Beer or Ale-Brewer shall put any Beer or Ale for sale in
any Vessel which is not marked by the Couper, and of the Con-
tents above limited.

V. Beer and Ale-Brewers shall sell their Beer and Ale at
such Rates as shall be thought fit (in the Country) by the Justices of
the Peace, and (in Corporations) by the Head-Officers; in pain to for-
feit for every Barrel 6 s. Kilderkin 3 s. 4 d. Firkin 2 s. and for
every great Vessel 10 s. and every lesser 12 d.

VI. The Forfeitures above said shall be divided betwixt the King
and the Prosecutor.

VII. Every Soap-maker shall cause his Vessels to be made as fol-
loweth: *viz.* Every empty Barrel to contain 32 Gallons, and to
weigh 26 Pounds; the Content of the half Barrel to be 16 Gallons,
and the weight 13 Pounds; and the Content of the Firkin 8 Gal-
lons, and the weight 6 Pound and an half; in pain to forfeit for
every Vessel otherwise ordered, 3 s. 4 d.

VIII. The

VIII. The Wardens of the Mystery of Coupers within the City of London (taking with them an Officer of the Mayor) shall have power to search and gage all Vessels made for Ale, Beer and Scap, to be put to sale within London and the Suburbs, and within two miles compass without the Suburbs, (as well within the Liberties as without,) and to examine their Contents and Weight, and (being found right) to mark them with St. Antony's Cross: which Searchers shall have for their Fee a Farthing for every Vessel, to be paid by the Owner thereof; and may retain the Vessel until the Fee is paid: and if any be found defective, they have power to amend or burn them; and the Owner of such defective Vessel shall forfeit 12 d. to be disposed as aforesaid.

IX. In other Places where there are no Wardens, the Head-Officers shall do it, and shall have the like power and advantage as those of London.

X. This shall not prohibit a Beer-Brewer to keep in his House a Servant for to mend his Vessels.

XI. If any shall diminish a Vessel, by taking out the head or a stave thereof, the Vessel shall be burnt, and the Offender shall forfeit 3 s. 4 d. (to be disposed as aforesaid) and shall be further punished at the discretion of the Head-Officers.

XII. An Ale-Brewer may also retain a Couper in his Service to mend his Vessels.

XIII. Every Couper shall make his Ale-Vessel according to the Assise exprest in the Treatise called *Compositio mensuratum*, viz. every eight Gallons thereof to contain a Bushel, according to the Assise limited by that Ordinance, (which was made 51 H. 3.) in pain of forfeiture for every Vessel otherwise made, 3 s. 4. d. to be disposed as aforesaid.

XIV. Every Couper shall mark his Vessel with his own Mark, in pain of 3 s. 4 d. to be Levied and Recovered as aforesaid.

XV. The Searchers shall not put out the Ale to measure in a Vessel, whereby it may be made worse.

XVI. This shall not prohibit to carry Ale to the Houses of Majesty and Honourable Persons in great Vessels, as Buts, Pipes, and Ale-Brewers may convey Ale to any mans House in Barrels, Kilderkins, and Firkins, being the due Content.

* XVII. Stat. 8 Eliz. 9. So much of the Statute of 23 H. 4. as concerns the Prices of Vessels, is Repealed.

XVIII. Coupers shall sell their Vessels at such Rates as shall be yearly Assessed (in Corporations) by the Head-Officers, and (in the Country) by the Justices of Peace, (or the more part of them) at the Sessions after Easter.

XIX. If (after Proclamations of the Rates so Assessed) any Couper shall sell otherwise, he shall incur such Penalties as by the Statute of 23 H. 8. 4. is ordained, viz. for every Barrel, Kilderkin, and Firkin, 3 s. 4 d. to be imposed and disposed as in the same Statute is exprest, for selling such Vessel above the due Price.

Courts.

I. In the time of Hen. 8. there were (amongst others) three new Courts created, viz. those of the Augmentations, First-fruits and Tenths, and General Surveyors : But these were afterwards annexed to the Exchequer by divers Acts of Parliament, and Letters Patents of Hen. 8. and Queen Mary. Nevertheless in some of these Acts there remains yet somewhat in force, as hereafter followeth.

II. Stat. 33 H. 8. 39. All Obligations and Specialties concerning the King, shall be made to him and his Heirs, Kings, in his own Name, by these words, *Domino Regi*, and to no other person ; and then for payment, *Solvendum Domino Regi, heredibus vel executoribus suis*, with other words used in common Obligations : and such Obligations shall be of the nature of Statutes staple. And if the King die, leaving such Obligations, they shall remain to his Heirs or Executors at the Kings pleasure.

III. If any take Obligation that concerns the King in another manner, they shall suffer Imprisonment as shall be ordered by the Kings Council.

IV. All Suits for the Kings Debts in any Court mentioned in this Act, upon any Obligation or Specialty delivered before this Act, to be delivered before the second day of May next, shall be prosecuted in the Kings Name, to what person soever such Obligation or Specialty were made ; and they shall be of the nature of Statutes staple, as before.

V. The King in all Suits for Debts shall recover his Costs and Damages.

VI. Suits for the Kings Debts shall be in the proper Courts where they shall be due, whether it be the Exchequer, Duchy, Augmentations, Surveyors, Wards and Liveries, First-fruits and Tenths, or any of them ; out of which such Processess shall issue for the speedy recovery of them as the Court shall think fit.

VII. The said Courts shall have power to hear and determine all Pleas, Defaults, Offences, and other things which shall arise upon any matter committed to the Governance of the same Courts, wherein the King shall be onely Party ; and also all Estates for term of years betwixt Party and Party concerning the Premises : Treasons, Felonies, and Estates of Free-hold and Inheritance, and Joyntures for term of life onely, excepted.

VIII. If any person shall make Title to any Lands sold or exchanged to any Fee-simple or Fee-tail by the Kings Letters Patents, in which a Rent is reserved to the King, his Heirs and Successors, in the Court of Augmentations, or shall demand any Rents, Tithes, Officers Fees, or other Profits out of Lands in Free-hold, or in Fee-tail, comprised in any Letters Patents ; or if the person shall make like Title or Claim to any Lands of Inheritance, or out of Lands, assigned to the said Court in any Letters Patents ; that the said Court, or more part of them, shall hear and determine

determine such Titles and Claims, and (without other Warrant) make recompence to the Party grieved.

IX. If any Decree of the Court of Augmentations for any of Premisses extend onely to the loss of the Patentee, for the Demandant or Plaintiff, or for term of years; then shall the Chancellor of that Court (without any other Warrant) make recompence in Money, or out of Lands limited to the Survey of same Court.

X. The aforesaid Courts shall have power to set Fines and merciaments, and upon Trial and other Proceedings there, to mine by such proofs, and in such manner as they shall think and the Proceedings and Decrees of the said Courts shall be usual in Law.

XI. The chief Officers of those Courts may (without any Warrant) discharge all Bonds and Recognisances there, when the Debts being satisfied, and the Conditions performed; and also make void all Recognisances for appearance, or other attempt.

XII. If any person to whom the King hath granted (with reservation of Rent) any Lands of Inheritance or for life within Survey any of the said Courts, do not pay yearly unto the Treasurer or Receiver-General of the said several Courts, at the term limited, or within 3 months after, all Sums of Money so reserved, make sufficient Tender thereof unto the said Treasurer or Receiver, he shall forfeit so much as the fourth part of the said Rent shall amount unto: and if he pay not the Rent and be forfeited, as aforesaid, within 6 months, he shall forfeit for the half the Rent amounts unto: and for every half year after, he shall forfeit so much as the whole years Rent doth amount unto.

XIII. The Treasurer and Receiver-General may Distrain for the said Rents and Forfeitures, and the Head-Officers of the said Courts may issue out Process for the recovery of the same at their own elections.

XIV. A Treasurer, or Receiver-general or particular, shall give with his own Hand a lawful Acquittance ready made to be signed by him without any Fee, in pain of 40 s. to be divided between the King and the Prosecutor: and if the Treasurer or Receiver, or their Clerks, make and Sign one, they shall take but 4 d. for the same in pain to forfeit 20 s. for every Acquittance for which they shall take more, to be divided as aforesaid: and every Acquittance shall be a sufficient Discharge according to the tenour thereof.

XV. If any Receiver or his Clerk pay a Pension, or other annuity or Rent, and have a sufficient Acquittance Signed, sealed, and delivered unto him by the Party that is to receive such payment, he shall take nothing for such Acquittance, in pain to forfeit 20 s. and if the Receiver or Clerk provide such Acquittance, he shall not take above 4 d. for the same, in pain to forfeit also 20 s. Neither shall the Receiver or his Deputy take above 4 d.

and for Money which he shall so pay, in pain to forfeit 6 s. 8 d. for every Penny he takes above. The said Forfeitures are to be divided betwixt the King and the Prosecutor.

XVI. The Auditor that takes above 3 s. 4 d. for Enrolling any Writ, Decree or Grant, shall forfeit 6 s. 8 d. for every Penny so taken, to be divided as aforesaid; and he shall Enroll them, (except as is rendered unto him) or as much thereof as concerns his Office.

XVII. Auditors shall cause Proclamation to be made in four Market-Towns in 20 days (at least) before their coming into the County to keep their *Audit*, in pain of 5 l.

XVIII. Auditors shall send out their Precepts for the *Audit* before Michaelmas and Christmas.

XIX. An Accomptant that (after notice) doth not appear at the *Audit*, or appearing refuseth to Accompt, or Accompting defers so long his charge to the Receiver above three weeks after, or conceals or withdraws any Rent or other Profit, shall forfeit his Office and be disabled, and for concealing or withdrawing, shall forfeit three times as much as is concealed or withdrawn, proof of the said Defaults being made to the Head-Officer of any of the said Courts; and the said Head-Officer shall thereupon award Process in the nature of Attachments to compel remedy thereof.

XX. In all Actions for Debts accruing to the King upon Attainder, Outlawry, Forfeiture, Gift, or other collateral way, it shall be sufficient to shew generally, that the Party unto whom such Debt did accrue, such year and day did give it to the King, or was Attainted, Outlawed, or other act committed whereby it came to the King, without alledging the particular Circumstances. And in such case the King shall be preferred, both in Suit and Execution, before any other person whatsoever.

XXI. Lands of Inheritance, which were the Kings Debtors, are chargeable with the Kings Debts, unto Whomsoever (after the Debtors death) they shall descend, remain or come.

XXII. The Kings Debts are payable by the Heir, though he be not named in the Recognisance, Bond, or other Specialty, and notwithstanding the Land which comes unto him be Intailed.

XXIII. The Executor and Administrator are also chargeable, if there be no Affsets.

XXIV. This Act shall not prejudice any who claim the Lands chargeable by any just and former Title without fraud.

XXV. Upon sufficient cause shewed why the Lands should not be charged, the Court shall discharge them of the Kings Debt.

XXVI. If the Lands chargeable be in several mens Tenures, they shall be entirely charged, and not severally.

XXVII. This Act shall not diminish any of the Liberties or Privileges of the Duchy or County Palatine of Lancaster.

XXVIII. All Processes and Executions for Debts growing in the County, shall be made by the Officers of that Court, but in such manner as is limited by this Act.

XXIX. Stat. 1. M. Parl. 1. 10. The Queen may by her Letters Patents alter, dissolve, or reduce into one or more, the Courts Augmentations, First-fruits and Tenths, Wards, Surveyors, and Dutchy; or may annex any of them together, or unto any Court of Record; or erect of the same any other new Courts.

XXX. Provided, that nothing in the said Letters Patents contained, shall charge the Subject otherwise than as he ought have been charged before the second day of this Parliament; that the Officers of the said Courts shall not hold Plea, but where the Queen is Party against any of her Subjects.

XXXI. Provided also, that if the Queen shall annex any of the said Courts to the Exchequer, all things within the Survey of the said Court or Courts so annexed, shall be ordered the Exchequer way, saving to all persons their Offices, Rents, Annuities, and to be paid out of any the Queens Courts, where there shall be sufficient Revenue to answer the same.

XXXII. Stat. 16 Car. 10. 17. cap. 10. The Court of Star-Chamber, the Court holden before the Presidents and Councils in the Marches of Wales, and the Northern Parts; the Court of the Duchy of Lancaster, holden before the Chancellor and Council of the Duchy; the Court of Exchequer of the County Palatine of Lancaster, holden before the Chamberlain and Council of that County; all other Courts of like Jurisdiction, and also all Warrants and directions of the Council Board for Commitments, Restraints and imprisonments, awarded by the King or his Council, are abolished, dissolved, annulled and made void. See the Statute at large.

XXXIII. Stat. 16, 17 Car. 15. An Act made against Incroachments and Oppressions in the Stannary Courts. See the Statute at large.

XXXIV. Stat. 12 Car. 2. cap. 24. The Court of Wardship and Liveries.

Cross-Bows and Hand-Guns.

I. Stat. 33 H. 8. 6. None shall Shoot in, or keep in any House Cross-Bow, Hand-Gun, Hagbut or Demihake, unless the Lands be of the value of 100 l. per annum, in pain to forfeit for every such Offence.

II. None shall Shoot in, or have any Hand-Gun under the length of one Yard, nor Hagbut or Demihake under the length of three quarters of a Yard, in pain to forfeit 10 l. And it shall be lawful for any Man, having Lands of 100 l. per annum, to seize any Hand-Gun or any Cross-Bow used or kept contrary to the former Statute: but then he ought to break them within 20 days in pain of 40 s.

III. None shall Travel with a Cross-Bow bent, or Gun charged, except in time of War, or Shoot within a quarter of a mile of a town, (no

any, Borough, or Market-Town, except for the defence of himself or his House, or at a dead Mark, in pain of 10 l.

IV. None shall command his Servant to Shoot in any Gun or Cross-Bow, except at a dead Mark, or in time of War, in pain of 10 l.

V. The Penalties abovesaid shall be divided betwixt the King and the Prosecutor.

VI. Howbeit the Followers of Lords, (Spiritual or Temporal) Knights, Esquires, Gentlemen, and the Inhabitants of Cities, Boroughs, or Market-Towns, may keep in their Houses, and use to shoot (but at a dead Mark onely) with Guns not under the lengths abovesaid; so may the Owner of a Ship for the defence of his Ship, and also he that dwells two Furlongs distant from a Town, or within five Miles from the Sea-Coast: and this last may Shoot at any wild Beast or Fowl, save onely Deer, Heron, Shovelard, Fesant, Partridge, wild Swan, or wild Elke.

VII. Those which have power from the King to take away Guns and Cross-Bows in Forests, Parks and Chases, may retain the same, withstanding this Act; so likewise may Smiths and Merchants, who make or sell them, the several lengths abovesaid being duly observed.

VIII. It shall be lawful for any person to convey the party offending against this Act, before the next Justice of Peace; who after due examination and proof shall have power to commit him to Prison, there to remain till he hath satisfied the Penalty, which in this case shall be divided betwixt the King and the party that so prosecuteth the Offender.

IX. Every Placart granted by the King, which expresseth not at what Beasts or Fowl the Grantee shall Shoot, and where the Grantee shalld not into a Recognisance of 20 l. in the Chancery, to be at no other, shall be adjudged void.

X. Justices of Peace in Sessions, and Stewards of Leets, have power to hear and determine these Offences.

XI. When the Conviction is in Sessions, the whole Forfeiture is to be Levied to the Kings use; when in a Leet, the one half is the Kings, and the other half ought to be divided betwixt the Lord and the Prosecutor.

XII. Here, if a Jury shall willingly conceal any thing, the Justice or Steward have power to impannel another Jury, by whom the first Jury be found guilty of concealment, they shall forfeit 10 s. apiece, viz. to the King if it be in Sessions, but if in a Leet, then the one half to the Lord, and the other half to the Prosecutor.

XIII. Forfeitures arising by this Act shall be Sued for, viz. by the Justice or Steward within one year, and by a common person within six months, otherwise they shall be lost.

XIV. A Servant upon command may use his Masters Cross-Bow (not prohibited by this Act) so as he Shoot at no Fowl,

Deer, or other Game; and may also, by a Licence in Writing, it to any Place to be mended.

* XV. Stat. 2. 3 E. 6. 14. None under the Degree of a Baron shall Shoot in any Hand-Gun within any City or Town, any Fowl whatsoever, or with any Hall-shot, in pain of 100 l. three months Imprisonment.

XVI. This Act shall not restrain those who according to the Use of their Land are authorized to Shoot by the 33 H. 8. 4. that they forbear to use any Hall-shot; and all others that pretend to Shoot, shall present their own Names, viz. (in a Corporation) to the Mayor or Head-Officer, and (in the County) to the Justice of Peace, in pain of 20 s. and the said Justice or Head-Officer is to see them Recorded at the next Sessions in like pain of 20 s. which Forfeitures are to be divided betwixt the King and the Sector.

Crosses.

I. Test. 2. 33. 13 E. 1. Lands where Crosses be set, with power that the Tenants thereof should defend themselves against the Lord or Lords, by the Privileges of Templars and Hospitallers shall be forfeited as Lands alienated in Mortmain.

Crown.

I. Stat. 14 E. 3. The Realm and People of England shall be subject and obedient to the King or Kingdom of France.

II. Stat. 7 H. 4. 2. The Crowns of England and France were entailed to the King and his four Sons by name.

III. Stat. 35 H. 8. 1. The Crown of England is entailed to the Kings Daughter, the Lady Mary, the remainder to the Lady Elizabeth, the remainder to such as the King by his Letters Patent or last Will in Writing should limit.

* IV. Stat. 1 Eliz. 1. No foreign Potentate or Person shall exercise any Power within any of the Queens Dominions, and Ecclesiastical Jurisdiction is annexed to the Crown; so that the Queen and her Successors by Letters Patents may authorize any Person born to exercise the same.

V. For the better observance of this Act, every Ecclesiastical Person, and every Officer, both Ecclesiastical and Temporal, and the Queens Servants, are enjoined to take the Oath following.

VI. I A. B. do utterly testifie and declare in my conscience, that the Queens Highness is the only Supreme Governour of this Realm, in all other her Highness Dominions and Countreys, as well in Ecclesiastical or Ecclesiastical things or cases, as Temporal; and that no Prince, Person, Prelate or Potentate, hath or ought to have any Jurisdiction, Power, Supremacy, Preeminency, or Authority Ecclesiastical within this Realm; and therefore I do utterly renounce and forsake all foreign Jurisdiction, Powers, Superiorities and Authorities.

to promise, that from henceforth I shall bear Faith and true Allegiance to the Queens Highness, her Heirs and lawful Successors; and to my power shall assist and defend all Jurisdictions, Priviledges, Preeminences and Authorities, granted or belonging to the Queens Highness, her Heirs and Successors, or united and annexed to the Imperial Crown of this Realm. So help me God, and by the Contents of this Book.

VII. He that refuseth this Oath shall forfeit his Spiritual or Temporal Promotion or Office during his life. And every person, before he be admitted to any such Promotion or Office, shall take the said Oath before such Persons as shall have Authority to minister the same: and in case he refuse it, he shall be adjudged incapable of such Promotion or Office.

VIII. Every person Suing Livery or Ouster le main, doing Homage to the Queen, received into the Queens Service, taking Orders or Degrees in the University, shall take the said Oath; the first three before the Lord Chancellor or Keeper of the Great Seal, the fourth before the Ordinary or Commissary, and the last before the Chancellor or Vice-Chancellor, or their Deputies.

IX. Provided, if any having a Temporal Office of Inheritance shall at first refuse to take the said Oath, and yet doth afterwards receive it, he shall be restored to his Office.

X. None shall affirm to maintain the Power or Jurisdiction of any forein Prelate or Potentate within the Queens Dominions, in such manner as to forfeit all his Goods and Chattels; and if he be not worth such sum at the time of his Conviction, he shall forfeit all he hath, and shall suffer one whole years Imprisonment without Bail: and here, for the second Offence, he shall incur a *Præmunire*; and for the third shall be adjudged guilty of High-Treason. But this Offence must be committed within one year after it is committed; and if the Offence be by Preaching, Teaching, or Words onely, the Prosecution and Indictment shall be within six months: otherwise the Offender shall be set at liberty.

XI. If he be a Clergy-man Beneficed, upon the first Conviction his Spiritual Promotions shall be void.

XII. A Peer of the Realm, guilty of such an Offence, shall be punished by his Peers.

XIII. No Act for any matter of Religion or cause Ecclesiastical made by this Parliament, shall be adjudged any Error, Heresie, or Schism: neither shall any person, to whom the Queen, her Heirs and Successors, shall give Authority to execute Spiritual Jurisdiction, have Power to adjudge any matter to be Heresie, save onely such as have been so adjudged by Canonical Scripture, or by one or more of the General Councils, or shall be so adjudged by the Parliament, with the assent of the Clergy in their Convocation.

XIV. No persons shall hereafter be Indicted or Arraigned for any of the Offences made by this Act, but by two or more sufficient Witnesses to be produced *viva voce* to testify the same.

XV. No person shall be questioned for relieving, aiding or com-

forring any such Offender, unless it be testified by two Witnesses (least) that at the time of such relief, &c. he had notice of the sentence committed.

XVI. Stat. 1 *Elix.* 3. The Parliament acknowledge the Queen to be right Heir to the Crown, and promise to defend her and Heirs of her Body in that Estate.

XVII. The limitation of the Crown contained in 35 H. 8. stand and remain Law for ever; and all Clauses of Statutes and things heretofore passed against the same, shall be void.

* XVIII. Stat. 5 *Elix.* 1. None shall maintain the Jurisdiction of the Bishop or See of Rome within any of the Queens Dominions, in pain to incur a *Præmunire*, both they and their Accessaries.

XIX. Justices of Assise and Justices of Peace in Sessions, any two of them, (1 *Quor.*) have power to hear and determine any Offence, and are to certify such Presentments into the Kings Bench within 40 days after they receive them, if it shall be then Term time; if not, then the first day of the Term then next ensuing, in pain of an 100 *l.* The Justices of the Kings Bench also, as well on such Certificate, as also before themselves, have power to hear and determine the same Offence.

XX. All persons appointed to take the Oath of Supremacy, 1 *Elix.* 1. and all other persons taking Orders, preferred to a Degree in the Universities, School-Masters, publick and private persons taking any Degree of Learning in the Laws in the Court or Chancery, all Attorneys, Protonotaries, Philizers, Clerks, Escheators, Feodaries, all persons admitted to any Ministry or Office belonging to the Common Law, or other Law or Laws, all Officers and Ministers of every Court, shall take the said Oath *verbatim*, before they be admitted to exercise their Office, Ministry or Profession: which Oath shall be Administred in open Court to the Officers and Ministers of Courts; and unto such as be not to any Court in some open place, in the presence of a convenient Assembly, and before other persons authorized to give it by common use, Commission, or otherwise.

XXI. Archbishops and Bishops have power to minister the Oath within their proper Diocess.

XXII. The Lord Chancellor or Keeper, (without farther warrant) may direct Commissions to tender it.

XXIII. None compellable to take this Oath by this Act or 1 *Elix.* shall refuse to take it, in pain to incur a *Præmunire*; for they be Indicted or Presented for such default within a year.

XXIV. Every person having Authority to tender this Oath shall within 40 days after the refusal thereof, if it be then Term time, if not, then the first day of the next Term, certify under Hand and Seal the Name, Place and Degree of the person so refusing unto the Kings Bench, in pain of an 100 *l.* And the Sheriff of the County shall impanel a Jury of the same County, to inquire of such refusal: which Jury may, upon Evidence, Indict the party

ing, as well as if the Indictment were preferred in the proper country.

XXV. If any refuse to take this Oath upon the second tender, or being formerly Convicted of maintaining the Jurisdiction of the Bishop or See of *Rome*, as aforesaid, do commit the like Offence the second time; in both cases both they and their Accessaries shall suffer as in case of High Treason. But here there shall be no corruption of Blood, disheriting of any Heir, forfeiture of Dower, or prejudice to the Right of any, save onely of the Offender during his life; and then the Party next in Reversion or Remainder may enter without any *Ouster in main* to be Sued. Here also none shall be deemed an Accessary for giving of Alms in Charity to the Offender without fraud.

XXVI. This Oath shall be expounded in such form as is set forth in an Admonition annexed to the Queens Injunctions, published in the first year of her Reign, *viz.* to acknowledg in her Majesty, her heirs and Successors, such Authority as was challenged and used by *Edw. 3.* and *Edm. 6.* and none other.

XXVII. This Act shall be published every Quarter Sessions by the Clerk of the Peace, and at every Leet by the Steward there, and once every Term in the open Hall of every Inn of Court and Chancery, at such times, and by such persons as shall be appointed by the Lord Chancellor or Keeper for the time being.

XXVIII. Every Member of the Commons House, before he shall have a Voice there, shall take this Oath before the Lord Steward or Deputy: and if he enter the House before he take it, he shall incur such Penalties as he who presumes to sit there without Election, Return, or Authority.

XXIX. None of or above the Degree of a Baron shall be compelled to take this Oath; and a Peer offending this Act shall be punished by his Peers.

XXX. Provided, that none shall be compellable to take this Oath upon a second tender, or be in danger (by refusal thereof) to incur the Penalty of High Treason, save onely Clergy-men, Officers Ecclesiastical Courts, or such as shall not observe the Rites of Divine Service, do deprave by Words or Writing the Rites and Ceremonies of the Church of *England*, or do use to say or hear private Mass.

XXXI. It shall not be lawful to slay one Attainted in a *Præmunire*.

XXXII. Saving the due execution of every person Attainted upon Judgment lawfully given by reason of this Statute, or otherwise; saving all such pains of death, or other punishment, as heretofore might without danger of Law be done upon any person that should or bring into the Queens Dominions, or within the same, execute any Process against any person from the Bishop or See of *Rome*.

XXXIII. None shall be hereafter Indicted as an Accessary for

any of the said Offences, without such sufficient proof as may satisfy the Jury that are to Indict him.

* XXXIV. Stat. 13 *Elix.* 2. If any shall obtain or put in any Bull of Absolution or Reconciliation from the Bishop of Rome, or absolve, or be absolved thereby, they and their Accessaries before the Fact, shall be adjudged guilty of High Treason.

XXXV. The Comforters and Maintainers of such Offenders incur a *Præmunire*, and their Concealers Misprision of Treason, unless within six weeks they discover them to some of the Privy Council, or to one of the Presidents or Vice-Presidents of the Council established in the North, or Marches of Wales.

XXXVI. Provided, no person shall be Impeached of Misprision of Treason for any Offence made Treason by this Act, other than such as are hereby declared to be in case of Misprision of Treason.

XXXVII. If any shall bring into any of the Queens Dominions any *Agnes Dei*, Crosses, Pictures, Beads, or any such vain or superstitious thing, or deliver or offer the same to any person to be used, both the person so doing, and the person so receiving the same, shall incur a *Præmunire*. Howbeit, if the party unto whom the same shall be made apprehend the party tending the same, and carry him before the next Justice of Peace, or, not being able to do, within three days after disclose his Name, and the Place of abode or resort, unto the Ordinary, or some Justice of Peace within the same County, or, having received the same, doth within ten days after deliver it to some such Justice of Peace, then shall he incur any prejudice by reason of this Act.

XXXVIII. A Justice of Peace shall disclose the Offences aforesaid to the Privy Council within 14 days after he shall have notice thereof, in pain of incurring a *Præmunire*.

XXXIX. Here the Trial of Peers shall be by their Peers.

XL. The Right of others saved.

* XLI. Stat. 23 *Elix.* 1. It shall be High Treason to pretend to have power, or to put in practice, to absolve, pardon, or withdraw any within the Queens Dominions from their Obedience to her Majesty, or to withdraw them for that cause from the Religion now established, to the *Romish* Religion: and also who shall be willingly so withdrawn or reconciled, as aforesaid, together with the Procurers and Counsellors of such Offenders, shall be adjudged guilty of the same Offence.

XLII. Also their Aiders and Maintainers, who do not discover them within 20 days to some Justice of Peace or higher Officer, shall be adjudged guilty of Misprision of Treason.

XLIII. None shall say or sing Mass, in pain to forfeit 200 Marks to suffer one years Imprisonment, and not to be enlarged thereof until the Fine be paid: and none shall hear Mass, in pain of one years Imprisonment and 100 Marks.

* XLIV. Every person not repairing to Church, according to Stat. of 1 *Elix.* 2. (which sit in Service and Sacraments) shall

for every month they so make default: and if they so forbear the space of 12 months after Certificate thereof made by the Ordinary into the Kings Bench, a Justice of Assise, Gaol-delivery, Peace of the County where they dwell, shall bind them with two sufficient Sureties in 100 l. (at least) to the good behaviour, from which they shall not be released until they shall repair to Church, according to the said Statute.

XLV. None shall keep a Schoolmaster which absents himself from Church, or not allowed by the Bishop or Ordinary, in pain of 10 l. for every month he so keeps him; and such Schoolmaster shall be ever after disabled to teach Youth, and shall suffer one whole years Imprisonment without Bail.

XLVI. The Offences against this Act, and the Acts of the first, Fifth and Thirteenth years of the Queens Reign, touching the acknowledgment of her Supreme Government in Causes Ecclesiastical, the Service of God, coming to Church, or establishment of true Religion within this Realm, shall be inquirable before Justices Oyer and Terminer, Assise, Gaol-delivery, and Peace, in their Circuits and Sessions, within one year and a day after such Offence committed, except Treason and Misprision of Treason.

XLVII. Provided, that any of the Offenders aforesaid, which shall before Judgment submit and conform themselves to the Bishop of the Diocese, or in open Assise or Sessions, shall be discharged of every the Offences aforesaid, (except Treason and Misprision of Treason) and of all Pains and Penalties Incurred for the same.

XLVIII. Of the Forfeitures abovesaid two third parts the Queen shall have, one to her own use, the other for relief of the Poor in the Parish where the Offence is committed, to be delivered without other Warrant than of the principal Officers of the Receipt of the Chequer; and the other third part the Prosecutor shall have. And here the Offender that is not able to pay the Forfeitures, or shall not pay them within three months after Judgment, shall be committed to Prison, and there remain until he hath satisfied them, shall conform himself, and go to Church.

XLIX. They that have on Sundays the Divine Service established usually read in their Houses, and are commonly present thereat, do not obstinately refuse to come to Church, but four times in a year (at least) are present at Divine Service in their own Parish Church, or some other open Chappel of ease, shall not incur the penalty aforesaid for not coming to Church.

L. All covinous Grants to defraud the Interest which the Queen or any other person may claim by vertue of this Act, or of 13 El. 2. shall be adjudged void.

LI. If a Peer of the Realm happen to be Indicted for any Offence of Treason or Misprision of Treason by this Act, he shall be Tried by his Peers.

LII. This Act shall not abridge the Jurisdiction of Ecclesiastical Courts.

* LIII. Stat. 27 *El.* 2. All Jesuits and Seminary Priests, and other Ecclesiastical persons, born within any of the Queens Dominions, and Ordained or made such by the pretended Jurisdiction of the See of *Rome*, which come into, or remain in any of the Queens Dominions, shall be adjudged guilty of High Treason; and their Receivers, Aiders and Maintainers (knowing them to be such, and at liberty) shall be adjudged Felons, without benefit of Clergy.

LIV. All others brought up in Seminaries beyond Sea, and not yet in Orders, as aforesaid, which do not within six months after Proclamation made in *London* (in that behalf) return into the Realm, and within two days after such Return, before the Bishop of the Diocese, or two Justices of Peace of the County where they shall arrive, submit themselves to the Queen and her Laws, and take the Oath of Supremacy, shall also be adjudged guilty of High Treason.

LV. They who give or send relief to any such Ecclesiastical person or Seminary, or to any brought up there, as aforesaid, shall incur a *Premunire*.

LVI. These Offences shall be heard and determined in the King's Bench, or in any County, where they shall be committed, at the Offender taken.

LVII. This Act shall not extend to any Jesuit, or other Ecclesiastical person aforesaid, which within three days after his arrival shall submit himself to some Archbishop, Bishop, or Justice of Peace of the County where he Lands, and there take the Oath of Supremacy, and under his Hand acknowledge to continue in due Obedience to her Majesties Laws.

LVIII. Here the Trial of a Peer shall be by his Peers.

LIX. If any person, knowing a Jesuit or Priest to remain within any of the Queens Dominions, do not within 12 days discover the same to some Justice of Peace, he or she shall make Fine and suffer Imprisonment during the Queens pleasure: and the Justice of Peace which doth not within 28 days after disclosure it to any of the Privy Council, or to the President or Vice-President of the Councils in the North and Marches of *Wales*, shall forfeit 200 Marks and such of those Councils unto whom such Information shall be made, shall deliver a Writing under their Hands unto the party informing, testifying that such Information was made unto them.

LX. All Oaths, Bonds and Submissions, as aforesaid, shall within three months be certified into the Chancery by the parties by whom they are taken, in pain of 100 *l*.

LXI. None having submitted, as aforesaid, shall within 10 miles after come within 10 miles of the Court, in pain to lose the benefit of his Submission.

LXII. Stat. 29 *Eliz.* 6. All Grants, Incumbrances, or Limitations of use made by any person not repairing to Church, (according to the Stat. of 23 *Eliz.* 1.) and which are revocable by the Offender, intended for his Maintenance, left at his disposition, shall

consideration whereof he or his Family are to be kept, shall be utterly void against the Queen, or to hinder the Levying of the Forfeitures for not coming to Church, or saying, hearing, or being at Mass, or the making of Seisures for the same purpose.

LXIII. Every Conviction of any Offence before mentioned shall be in the Kings Bench, or at the Assise of Gaol-delivery, and not elsewhere, and shall by the Justices there be certified into the Exchequer before the end of the Term then next following.

LXIV. The Queen may seise all the Goods, and two third parts of the Lands and Leases of every Offender not repairing to Church as aforesaid, which after their first Conviction do not pay into the Exchequer, in such of the Terms of *Easter* and *Michaelmas* as shall happen next after such Conviction, the Sum then due for the Forfeiture of 20 *l.* a month, and yearly after that (in the same Terms) according to the rate of 20 *l.* a month, for so long time as they shall forbear to come to Church, according to the said Stat. of 23 *Eliz.* 1.

LXV. The Indictment against such an Offender shall be sufficient, although no mention be therein made that the party is within the law.

LXVI. When an Indictment is found against such an Offender, proclamation shall be made, that he shall render himself into the Sheriff's hands before the next Assise or Gaol-delivery; which if he do not, that neglect shall be as sufficient a Conviction, as if upon the same Indictment a Trial by Verdict had proceeded.

LXVII. But here, upon the Offenders submission (according to the said Stat. of 23 *Eliz.*) or death, no Forfeiture shall ensue, save only the Arrearages due at the time of such submission or death.

LXVIII. The Lord-Treasurer, Chancellor, and chief Baron, or two of them, shall assign a third part of the Forfeitures of 20 *l.* a month, for the relief and maintenance of the Poor, Houses of Correction, and maimed Souldiers.

LXIX. This Act shall not extend to Grants made *bona fide*, nor to continue any Seisure after the death of the Offender, in such cases wherein he had onely an Estate for life, or in the Right of his Wife.

LXX. Stat. 25 *Eliz.* 1. If any above 16 years of age shall be convicted to have absented themselves above a month from Church, without any lawful cause, impugned the Queens Authority in Causes Ecclesiastical, or frequented Conventicles, or persuaded others to do, under pretence of exercise of Religion, they shall be committed to Prison, and there remain until they shall conform themselves, and make such open submission as hereafter shall be prescribed. And if within 3 months after such Conviction they refuse to conform and submit themselves, being thereunto required by a Justice of Peace, they shall in open Assise or Sessions abjure the Realm; and if such Abjuration happen to be before Justices of Peace in Sessions, they shall make Certificate thereof at the next Assise or Gaol-delivery.

LXXI. If such an Offender refuse to abjure, or, going away accordingly, doth return without the Queens Licence, he shall be adjudged a Felon, and shall not enjoy the benefit of Clergy: but if he be required to abjure he makes his submission, the Penalties foresaid shall not be inflicted upon him.

LXXII. The Form of the Submission is as followeth.

I A. B. do humbly confess and acknowledge that I have grievously offended God, in contemning her Majesties godly and lawful Government and Authority, by absenting my self from Church, and from bearing Divine Service, contrary to the godly Statutes and Laws of this Realm, and in using and frequenting disordered and unlawful Conventicles and Assemblies, under pretence of Exercise of Religion; and I am heartily sorry for the same; and do acknowledge and testify in my conscience, that no other Person hath or ought to have any Power or Authority over her Majesty. And I do promise and protest, without any dissimulation, that henceforth I will from time to time obey and perform her Majesties Laws and Statutes, in repairing to the Church, and hearing Divine Service, and do my uttermost endeavour to maintain and defend the same.

LXXIII. The Minister of the Parish where the submission is made, shall presently enter the same in a Book, and within ten days after certify it to the Bishop of the Diocess.

LXXIV. The Offender that after such submission falleth into relapse, shall take no benefit thereby.

LXXV. The Forfeitures of this Act and of 23 *Eliz.* 1. may be recovered by Action of Debt.

LXXVI. The third part of the Penalties which accrue by this Act, shall be disposed as those of 29 *E. 6.*

LXXVII. A Feme-covert shall not be compelled to abjure; any other Offender that abjures, or (being required) refuseth to do, shall forfeit all his Goods and his Land during life: Here shall be no corruption of Blood, loss of Dower, or disinheritance of Heir.

* **LXXVIII.** Stat. 35 *Eliz.* 2. Popish Recusants, above sixteen years of age, shall within 40 days after their Conviction repair to their usual Dwelling, and not remove above 5 miles from the same, pain to forfeit all their Goods, and their Lands and Annuities during life; And if they have no certain abode, then are to repair to the Place where they were born, or where their Father or Mother dwells; and within 20 days after their arrival to give their Names in Writing to the Minister, Constables and Churchwardens of the Parishes or Boroughs; which Minister is to enter them in a Book to be kept for that purpose; and he, together with the said Constables and Churchwardens, is to certify the same to the next Quarter Sessions; the Justices of Peace shall cause them to be Enrolled.

LXXIX. A Copyholder shall in this case also forfeit his Copyhold during life, (if his Estate continue so long) to the Lord of the Manor.

Manner, if he be no Recusant convict, nor seised or possessed in Trust to the use of a Recusant; for then the Queen shall have the Forfeiture.

LXXX. A Popish Recusant (being no Feme-covert, nor having Lands worth 20 Marks *per annum*, or Goods worth 40*l.*) which within the time above limited doth not repair to the Place of his abode, or doth depart above 5 miles thence, or within 3 months after his arrival there doth not make the submission hereafter following, (being required so to do by the Bishop, a Justice of Peace, or the Minister there) shall before two Justices of Peace, or the Coroner, abjure the Kingdom; which Abjuration shall be by the said Justices or Coroner certified in at the next Assize or Gaol-delivery.

LXXXI. If such Popish Recusant depart not the Realm within the time limited by the said Justices or Coroner, or return without the Queens Licence, he shall be adjudged a Felon without Clergy.

LXXXII. A Jesuit or Priest refusing to answer, shall be committed to Prison, and there remain till he will answer the Question whereupon he was before examined.

LXXXIII. This Act shall not restrain a Recusant (urged by Process or Summons without fraud) to Travel without the abovesaid licence, so he return again in a convenient time; neither him that is compelled to tender his Body to the Sheriff.

LXXXIV. If such an Offender before Conviction, upon a Sunday or some Festival day, repair to Church, and there hear Divine Service, and before the Gospel make the Confession following, he shall be discharged of the Penalties inflicted by this Act.

The Confession is this.

LXXXV. *I A. B. do humbly confess and acknowledge that I have grievously offended God, in contemning her Majesties godly and lawful Government and Authority, by absenting my self from Church, and from Divine Service, contrary to the godly Laws and Statutes of this Realm, and I am heartily sorry for the same; and do acknowledge and testify in my conscience, that the Bishop and See of Rome hath not, nor ought to have any Power or Authority over her Majesty, within any of her Majesties Realms or Dominions: And I do promise and protest without dissimulation, that from henceforth I will from time to time obey and observe Majesties Laws and Statutes, in repairing to the Church, and Divine Service, and do my uttermost endeavour to maintain and defend the same.*

LXXXVI. The Minister of the Parish where such submission is made, shall presently enter the same in a Book, and within 10 days certify it to the Bishop of the Diocese.

LXXXVII. The Offender that after such submission falleth into relapse, shall take no benefit thereby.

LXXXVIII. Every married Woman shall be bound by this Act, only by the Clause of Abjuration.

LXXXIX.

LXXXIX. Stat. 1 Jac. 1. A Recognition, that upon *Queen Elizabeth's* death the Crown of England, and all the Kingdoms, Territories and Rights belonging to the same, did by lawful Birthright and Succession descend to King *James*.

XC. Stat. 1 Jac. 1. All the *aforesaid* Statutes made in the time of *Queen Elizabeth*, shall be duly put in execution against all such who do not conform themselves as *aforesaid*.

XCI. Where the Ancestor dies a Recusant, the Heir being non-age or conforming himself, and taking the Oath of Supremacy before the Archbishop or Bishop of the Diocese, the Land shall be freed from all Penalties.

XCII. If an Heir (within age) after he shall have accomplished the age of 16 years, doth still continue a Recusant, his Lands shall not be freed until he do conform, and take the Oath of Supremacy, as *aforesaid*.

XCIII. A third part of every Recusants Lands shall remain clear unto him from Seizure or Extent, and the other two parts shall remain in the Kings hands, (both before and after the Recusants death) until the King shall be fully satisfied all the Arrearages of 20 l. a month, according to 23 *Eliz. 1.*

* **XCIV.** None shall send any Child or other Person under the Government beyond the Seas, to be Instructed in the Popish Religion, in pain of 100 l. and they which are so sent shall be incapable (as to themselves onely) of any Grant or Inheritance due unto them or to others for their use.

* **XCV.** If a Woman or Child under the age of 21 years be suffered to pass the Seas without Licence of the King, or of six of the Privy Council under their Hands, (except Sailers, Ship-boys, Merchants Factors or Apprentices) the Officers of the Port shall forfeit their Offices and all their Goods, the Owner of the Ship and Tackle, and every Master or Mariner of or in the Ship, their Goods, and also suffer a years Imprisonment without Bail.

* **XCVI.** None out of the Universities shall keep School, or a Free-School, or in some persons House that is no Recusant, without Licence of the Bishop or Ordinary, in pain to forfeit 40 s. a day.

XCVII. The forfeitures of this Act shall be divided betwixt the King and the Prosecutor,

* **XCVIII. Stat. 3 Jac. 4.** A Recusant that conforms within one year after, and so once every year (at least,) receive the blessed Sacrament; in pain to forfeit for the first year 20 l. for the second 40 l. and for every default after 60 l. And if after he received it, he make default therein by the space of a whole year he shall forfeit 60 l.

XCIX. These Forfeitures may be recovered before Justice of Peace in Sessions, or in any other Court of Record, and are to be divided betwixt the King and the Prosecutor.

C. The Churchwardens and Constables of every Parish, or of them, or (if there be none such, then) the High Constable

Hundred there, shall present once every year at the general Session of Peace, the monthly absence from Church of every Popish Recusant, and their Children being above the age of nine years, and their Servants, together with the age of their Children, as near as they can know them; in pain to forfeit respectively for every such default 20 s. Which Presentment the Clerk of the Peace or Town-Clerk shall Record without Fee, in pain of 40 s.

CL. If upon such Presentment (being the first) the Recusant be Convicted, the Officer that Presents him shall have 40 s. to be Levied by Warrant upon the Recusants Goods and Estate, as the more part of the Justices of Peace shall think fit.

CII. Justices of Assize, Gaol-delivery and Peace, have power to hear and determine of all Recusants and Offences, as well for not Receiving the Sacrament according to this Act, as also for not coming to Church, according to former Laws; and likewise to make Proclamation, that they shall render themselves to the Sheriff or Bailiff of the Liberty where they are, before the next Assize, Gaol-delivery or Sessions respectively: which if they do not, that Default being Recorded, shall be taken for as sufficient a Conviction of them to a Trial by Verdict.

CIII. Every Offender not repairing to Church as aforesaid, after their first Conviction shall pay into the Chequer, in such Of the Terms of *Easter* and *Michaelmas*, as shall happen next after such Conviction, the Sum then due for the Forfeiture of 20 l. a month, and yearly after that (in the same Terms) according to the rate of 20 l. a month; except where the King shall be pleased to take two parts of their Lands and Leases in lieu thereof, or that they reform themselves, and come to Church.

CIV. Every Conviction shall before the end of the Term next following be certified into the Exchequer, in such convenient ceremony, that the Court may thereupon award Process for the Seizure of the Offenders Goods, and two parts of his Lands and Leases, and the 20 l. a month be not paid as aforesaid.

CV. The King may refuse 20 l. a month; and take two third parts of his Lands and Leases; but here he shall not include the Remainder of his Mansion-House, nor Demise his two parts to a Recusant, or any other for a Recusants use. And the Kings Lessee for his two parts shall give such Security against committing of Waste as by the Court of Exchequer shall be thought sufficient.

CVI. It shall be lawful for the Bishop of the Diocese, or two Justices of the Peace (1 *Quor.*) out of Sessions, to tender the Oath following to any person 18 years old or above, (except Clergymen and Noble-Women) which stands Convicted or Indicted of Recusancy, hath not Received the Sacrament twice in the year before, or passing through the Country, and examined upon Oath, confesseth, or (at least) denieth not, that he or she is a Recusant, or that he or she hath not Received the Sacrament twice in the year before: which Bishop or Justices shall certify the Name and

and Dwelling of the person so taking the same Oath at the Sessions where the Clerk of the Peace or Town-Clerk shall see them.

CVII. If the persons refuse to answer upon Oath, or to take Oath aforesaid tendered unto them, the Bishop or Justice aforesaid shall bind them over to the next Assize or Sessions, where if they gain refuse it, they shall incur a *Premunire*, except Women who in that case shall onely suffer Imprisonment till they take it.

The Tenor of the Oath is as followeth.

CVIII. I A. B. do truly and sincerely acknowledge, profess, and declare in my conscience, before God and the world, that our now reigning Lord King James is lawful and rightful King of this Realm, of all other his Majesties Dominions and Countreys; and that the same neither of himself, nor by any Authority of the Church or See of Rome, by any other means, with any other, hath any Power or Authority to depose the King, or to dispose of any of His Majesties Kingdoms or Dominions, or to Authorise any Foreign Prince to invade or annoy his Countreys, or to discharge any of his Subjects of their Allegiance and Fidelity to his Majesty, or to give licence or leave to any of them to take Arms, raise tumults, or to offer any violence or hurt to his Majesty, his Royal Person, State, or Government, or to any of his Majesties Subjects within his Majesties Dominions.

Also I do swear from my heart, that notwithstanding any Decree or Sentence of Excommunication or Deprivation made or granted, to be made or granted, by the Pope or his Successors, or by any Authority, or pretended to be derived from him or his See, against the King, his Heirs or Successors, or any Absolution of the said Subjects from their Obedience, I will bear Faith and true Allegiance to his Majesty and him and them will defend to the uttermost of my power against all Conspiracies and Attempts whatsoever, which shall be made against his Majesty, or their persons, their Crown and Dignity, by reason or colour of any Sentence or Declaration, or otherwise; and will do my best endeavour to disclose and make known unto his Majesty, his Heirs and Successors, all Treasons and traiterous Conspiracies which I shall know or hear of against him or any of them.

And I do further swear, that I do from my heart abhor, detest and curse as impious and heretical, this damnable Doctrine and Opinion, That Princes which be Excommunicated or deprived by the Pope, may be deposed or murdered by their Subjects, or any other whatsoever.

And I do believe, and in my conscience am resolved, that neither the Pope, nor any Person whatsoever, hath power to absolve me of this Oath, any part thereof, which I acknowledge by good and full Authority lawfully ministered unto me, and do renounce all Pardons and Indulgences to the contrary.

And all these things I do plainly and sincerely acknowledge and swear according to the express words by me spoken, and according to the

...and without understanding of the same words, without any Exco-
munication, or mental Reservation, or other Reservation whatsoever. And I do
make this Recognition and Acknowledgment heartily, willingly and
truly, upon the true Faith of a Christian. So God me help.

CIX. Unto this Oath the party taking it, shall subscribe his Name

CX. No Indictment against a Recusant shall be reversed for lack
of form, other than by direct Traverse to the Point of not coming
to Church, or not Receiving the Sacrament, as aforesaid.

CXI. The party conforming himself shall from thenceforth be
bound to discharge or reverse an Indictment.

CXII. None shall go out of this Realm to Serve any foreign Prince
or State, without first taking the Oath aforesaid, in pain to be ad-
judged a Felon. And if he have borne Office amongst Soldiers be-
fore his departure out of the Realm, he shall enter into a Bond unto
the Kings use, with the Condition following: upon like pain of be-
ing adjudged a Felon.

The Condition is this.

CXIII. That if the within bounden, &c. shall not any time then after
reconciled to the Pope or See of Rome, nor shall enter into, nor practise
any Practice, Plot or Conspiracy whatsoever, against the Kings Ma-
jesty, his Heirs and Successors, or any his or their Heirs or Heirs, or
Dominions, but shall within convenient time after knowledge
had, reveal and disclose to the Kings Majesty, his Heirs and
Successors, or some of the Lords of his or their Honourable Privy Council,
all Practices, Plots and Conspiracies; That when the said Obliga-
tion is void.

CXIV. None but the Customers and Controllor of a Port, or their
Deputies shall have power to take such Bond, or to minister the
same in such case: for which Bond they shall onely take 6 s. and
nothing for the Oath; and shall once every year certifie into the
Chancery every such Bond; in pain of 5 s. and every such Oath in
the same manner.

CXV. To absolve or withdraw any of the Kings Subjects from
natural Obedience to his Majesty, to reconcile them to the
See of Rome, or to move them to promise Obedience to
pretended Authority of the See of Rome, or to any other Prince
or State, or to be absolved, withdrawn, reconciled, or to make
any aforesaid, shall be adjudged High Treason.

CXVI. This last Clause shall not extend to any reconciled, as a-
foresaid, for and touching the Point of so being reconciled onely)
shall return into this Realm, and within six days after, before
the Bishop of the Diocese, or two Justices of Peace (jointly or
severally) of the County where he shall arrive, submit himself to

the King and his Laws, and take the Oath of Supremacy, and the Oath abovesaid; which said Oaths the said Bishops and Justices respectively shall by this Act have power to minister to such persons and shall certify them in at the next General Sessions, in page 40 l.

CXVII. Here the Trial of Treason shall be before Justices Assize and Gaol-delivery of that County for the time being, and also be before the Justices of the Kings Bench: but Peers in case shall be Tried by their Peers.

CXVIII. If any person repaireth not every Sunday to Church or Chappel, proof thereof being made to a Justice of Peace by the Party's own Confession, or the Evidence of one Witness the same Justice hath power to call the Party before him: and if the Party give not the Justice a good reason of his absence, the Justice may give Warrant to the Churchwardens of the Parish to take his Hand and Seal, to Levy 12 d. for every such Default, by Distress and Sale of Goods: and in default of Distress, the Justice may commit the Offender to Prison until he pay the Forfeiture aforesaid, which shall be employed for the use of the Poor. But defaulters must be prosecuted within one month after it is committed, and none punished by this Law shall also be punished by the Statute of 1 Eliz. 2. which see in the Statutes.

CXIX. None shall keep or retain any person in their House (Servant or other) which shall forbear to come to Church by the space of a month together, in pain to forfeit 10 l. for every month they so keep them. Howbeit Children may relieve their Father, Mother, and Guardians their Wards or Pupils.

CXX. The Sheriff, upon a lawful Writ, may justify to break open the House for the taking of a Recusant Excommunicate.

CXXI. The Justices of the Kings Bench, and Justices of Assize and Gaol-delivery, may hear and determine all the Offences committed against this Act, and so may Justices of Peace, all final Sentence.

CXXII. The Offences made Felony by this Act shall not incur Loss of Dower, corruption of Blood, or disinheritance of Heirs.

CXXIII. Here, if an Action shall be brought against any person for the execution of this Act, he may Plead the General Issue, yet give special matter in Evidence.

CXXIV. This Act shall not abridge the Jurisdiction of Ecclesiastical Censures.

CXXV. None shall be punished for his Wifes Offence; nor shall any Married Woman be chargeable with any Penalty or Forfeiture by force of this Act.

CXXVI. Six of the Privy Council (whereof the Lord-Chancellor, Lord-Treasurer, or Principal Secretary, shall be one) shall have power to minister the Oaths abovesaid to Noble-men (above 21 years old) and to Noble-women also of the like age, and under

shall take the same Oaths accordingly, in pain to incur a Fine *Vide infra*.

CXCVII. The Warden of the Cinque-Ports, or some authority by him, shall take the Bond and minister the Oath aforesaid, where any person passeth beyond Sea out of them or any of their Members.

CXCVIII. Stat. 13 Jac. 3. The person that within three days shall discover to a Justice of Peace any that entertains a Popish Priest, or any which have heard or said Mass, shall have a third part of the Forfeiture due for the same Offences, if the whole exceed not 150 *l.* and then only 50 *l.* thereof, to be delivered unto him by the Sheriff, or other Officer which shall have power to levy the same.

CXCVIX. No Convicted Recusant shall come into the Court without command from the King, or Warrant from the Privy Council under their Hands, in pain of 100 *l.* to be divided betwixt the King and the Discoverer.

CXCVX. A Popish Recusant convicted or Indicted, or any person refusing to Church by the space of three months together, which shall be in London, or within 10 miles distance thereof, shall within 40 days after such Conviction or Indictment depart from thence, and shall deliver their Names (in London) to the Lord Mayor, and (in the County) to the next Justice of Peace, in pain of 100 *l.* to be divided betwixt the King and the Prosecutor. Howbeit this Clause shall not extend to Tradesmen, or such as have no other Habitation than in London, or within 10 miles distance, as is said.

CXCVXI. It shall be lawful for a Recusant to go about his necessary occasions; as far as a Licence (obtained from the King, or from any of the Privy Council, under their Hands, or four of the next Justices of Peace, under their Hands and Seals, with the assent in writing of the Bishop, Lieutenant or Deputy-Lieutenant of the County) shall give him leave, notwithstanding the Statute of 1 Jac. 1. Which Licence shall not be granted by the said Justices, unless the Party hath made Oath of the true reason of his Journey, and that he will make no causeless stays.

CXCVXII. No Convicted Recusant shall Practise the Common Law, Civil Law, Physick, or Art of Apothecary, or be an Officer in any Court, or bear any Office amongst Souldiers, or in a Castle or Fortrefs, in pain of an 100 *l.* to be divided betwixt the King and the Prosecutor.

CXCVXIII. No Popish Recusant Convict, or whose Wife is a Recusant Convict, shall exercise any publick Office in the Commonwealth by himself or his Deputy, unless he bring up his Children in the true Religion, and together with his Children and Family repair to the Church, and receive the Sacrament at such times as by the Law are limited.

CXCVXIV. A married Woman, being a Popish Recusant Convict,

(her Husband being none) that doth not conform her self as
said, by the space of one whole year before her Husband
shall forfeit two third parts of her Dower or Joynture, and
incapable of being Executrix or Administratrix to her Husband
or enjoying any part of her Husbands Goods.

CXXXV. A Popish Recusant, after Conviction, shall be re-
garded in all intents as a person Excommunicate, until he shall con-
form to Church, receive the Sacrament, and take the Oath of Obe-
dience Ordained by 3 Jac. 1. Howbeit, he may sue for his
Lands not seized into the Kings hands.

CXXXVI. A Popish Recusant Convict, which is married
wife within in open Church, and by a lawful Minister, according
to the Orders of the Church of England, shall not be Tenant by the
Curse; and a Woman also (in this case) shall be disabled to enjoy
Dower, Joynture, Widows Estate, or any of her Husbands Goods.
And where a man cannot be Tenant by the Curse, he shall be
100 l. to be divided betwixt the King and the Prosecutor.

CXXXVII. Every Popish Recusant shall within six months
after the birth of his Child cause it to be Baptized by a lawful Minister,
and shall forfeit 100 l. If he out-live the Month; if not, his
Wife is to pay the same Forfeiture; which shall be divided
into three parts, whereof the King shall have one, the Prosecutor
the other, and the Poor of the Parish the third.

CXXXVIII. Every Popish Recusant shall be buried in the Church
or Church-yard, and according to the Ecclesiastical Laws of this
Realm, in pain that his Executor, Administrator, or the Party
caused him to be otherwise buried, shall forfeit 20 l. to be divided
into three parts, and disposed as aforesaid.

CXXXIX. A Child (being no Soldier, Mariner, Merchant,
Apprentice, or Factor to a Merchant) shall not be sent or go
to Sea without Licence of the King, or six of the Privy Council
(whereof the Principal Secretary shall be one) in pain to be
forfeited by the Party so sent, who shall be incapable to enjoy any Lands or Goods by Descent or
Gift, until (being 18 years of age, or above) he take the said
Oath of Obedience before some Justice of Peace of the County where
his Parents do or did dwell. And in the mean time, the next of Kin
(being no Popish Recusant) shall enjoy the Lands and Goods
which he should have, and shall be accountable to the other, in case he after conform
himself, as aforesaid. And he that so goes out of the Kingdom
without Licence, shall forfeit 100 l. to be divided and employed as
aforesaid.

CXL. A Popish Recusant Convict shall be disabled to Pre-
sent a Benefice; but in stead of him, the Chancellor and Scholars of the
Universities of Oxford and Cambridge, shall Present within
the Counties respectively. For which see the Statute at large. And
they shall not confer it upon a Man already Beneficed.

CXLI. A Popish Recusant Convict shall not be an Executor,
Administrator, or Guardian; but the next of Kin (being no Recusant)

and whom the Land cannot lawfully descend) shall have the Guardianship and Tuition of an Heir or Orphan in that case.

EXLII. A Grant of the Kings Ward to a Popish Recusant Count shall be void.

EXLIII. None shall bring from beyond Sea, Print, sell or buy Popish Primmers, Ladys Psalters, Manuals, Rosaries, Popish Churchmens, Missals, Breviaries, Portals, Legends of Lives of Saints, what Language soever they shall be Printed or Written, nor any other superstitious Books, Printed or Written in the English Language, in pain to forfeit 40 s. for every such Book, to be divided into three parts, and employed as aforesaid.

EXLIV. Two Justices of Peace, and all Mayors, Bailiffs, and Head-Officers, have power to search the Houses and Lodgings of Popish Recusants Convict, and of every person whose Wife is a Popish Recusant Convict, for Popish Books and Reliques, and to burn and deface such as they shall find in their custody; but such as are of value shall be defaced in open Sessions, and afterward restored to the Owner.

EXLV. All the Armour, Gunpowder and Munition of a Popish Recusant Convict, shall be taken from him by Warrant from four Justices of Peace at the General Sessions, (other than such Weapons as shall be allowed unto him by the same Justices;) which Armour and Munition shall be kept at the cost of such Recusant in such Places where the said Justices shall appoint, and shewed every Muster, as his Arms, together with his Horse, which he shall buy, provide and maintain for that purpose, according to his Majesty, as other Subjects do. And here, the Recusant that refuseth to declare what Armour and Munition he hath, or to deliver it to other persons as shall have power to seise it, shall forfeit the same to the King, and besides, shall, upon Warrant from any Justice of Peace of that County, be Imprisoned by the space of three months without Bail.

EXLVI. This Act shall not abridge Ecclesiastical Censures.

EXLVII. Stat. 7 Jac. 2. No person of the age of 18 years, or upwards, shall be naturalized or restored to Blood, unless he have received the Lords Supper within a month before his Bill was exhibited, and also do take (before the Bill be twice Read) the Oaths of Fidelity and Allegiance, to be ministred unto him (in the House of Commons) by the Lord-Chancellor or Keeper, and (in the Commons) by the Speaker.

EXLVIII. Stat. 7 Jac. 6. Who shall take the Oath of Obedience (or Allegiance) by whom it shall be ministred, and within what time.

EXLIX. It shall be lawful for any of the Privy Council, or any Justice within his Diocess, to require a Baron or Baroness of 18 years of age, or above, to take the said Oath: and likewise for any Justice of Peace, (1 Quor.) to require any person of the age of 18, or above, and under the Degrees aforesaid, to take the said Oath.

CL. If any Baron or Baroneſs ſtand Preſented, Indiſſed or
victed for Recuſancy, three of the Privy Council (whereof
Lord-Chancellor, Treafurer, Privy Seal, or the Principal Secretary
ſhall be one) ſhall miniſter unto them the ſaid Oath : But if
any other Convicted perſon under thoſe Degrees, or if the Miniſter,
Parſon, or Churchwardens of any Pariſh, or any other of
them, ſhall complain to any Juſtice of Peace of any perſon ſuſpect-
ed for Recuſancy ; then any ſuch Juſtice may, in either of the ſaid
Juſtices, miniſter the ſaid Oath, and upon refusal ſhall commit the
perſon to Priſon, there to remain until the next Aſſiſe or Sessions,
if he or ſhe again refuse to take it, they ſhall incur a Praeco-
pit except Women Covert, who ſhall onely be Imprisoned, and
remain without Bail, until they ſhall take the ſaid Oath.

CLII. None refusing the said Oath shall be capable of any Office of Judicature, or of other Office (being no Office of Inheritance or Ministerial Function,) or to Practise the Common Law, Physick, Surgery, the Art of Apothecary, or any Liberal Science, for

CLII. If a married Woman, being a Convicted Recusant, conform within three months after Conviction, she shall be committed to Prison by a Privy Councillor, or the Bishop of the Diocese, if she be a Baroness: but if any other of a lower Degree, she shall be committed by two Justices of Peace, (1 Qu.) and shall remain until she conform as aforesaid; unless the Husband or Wifes Offence will pay unto the King 10 l. for every maner of Land he or she shall have, and shall yield the third part of all his Lands, at the choice of the said Justices.

CLIII. None shall go himself, or send any person whatsoever beyond Sea, to be Trained up in Popery, or any maintenance thereof to the party so sent, or to any School or Religious House in pain (after Conviction thereof) to be adjudged unable to sue any Suit in any Court of Equity, to be Committee of any Executor or Administrator, to be incapable of any Legacy or of Gift, or of bearing Office within this Realm; and besides, to forfeit all his Goods and Chattels, and his Land also during his absence; and he conform within six weeks after his return, according to the Statutes in that case provided, he shall not incur the Penalties therein contained.

CLIV. These Offences shall be heard and determined by the Justices of the Kings Bench, Assise, Gaol-delivery, and Oyer and Terminer, of such Countreys where the Offenders did last dwell, or where they departed, or where they shall be taken.

CLV. For Uniformity of Common-Prayer : See *Tell* See
Sacraments.

* CLVI. Stat. 3 Car. 2. The Statute of 1 Jac. 4. shall put in execution: and none of the Kings Subjects shall put or shall convey or send, or cause to be conveyed or sent, or other person, out of any of the Kings Dominions, into beyond the Seas out of the Kings Obedience, to the intent to seduce or trained up in any Popish Society, School or Family.

there Instructed in the Popish Religion, in any sort to profess the same: neither shall any convey, or cause to be conveyed, any money, or other thing towards the maintenance of any such Child or Person already gone or sent, or to go or to be sent, and Trained and Instructed as aforesaid; or (under the name of Charity) towards the relief of any such Society or Religious House; upon pain (after conviction in any of the aforesaid cases) to be disabled to sue, or bring any Action, Bill, Plaint or Information in course of Law, or to prosecute any Suit in Equity, or to be Committee of any Ward, or Executor or Administrator to any person, or capable of any Legacy or Deed of Gift, or to bear Office within the Realm, and to alienate all his Goods and Chattels, and also his Lands, Rents and Revenues, and Offices during his life.

LVII. Howbeit, no person sent or conveyed as aforesaid, who shall within six weeks after his return conform himself to the pre-
Religion here Established, and receive the Sacrament of the Lords Supper, shall incur any of the Penalties aforesaid.

LVIII. Justices of the Kings Bench, Assize, Gaol-delivery, and *Terminer*, have power to hear and determine these Offences in such Counties where such Offenders did last dwell, or whence they departed, or where they are taken.

LIX. Stat. 16, 17 Car. 11. The Branch of the Stat. of 1 EL. 1. which gave power by Commission under the Great Seal to exercise Ecclesiastical Jurisdiction (and whereupon the pretended Authority of the High Commission-Court was founded) is Repealed.

LX. No new Court, which may have the like power that the Commission pretended to have, shall be hereafter erected; all such Jurisdictions, and all Acts, Sentences and Decrees, made by colour thereof, shall be utterly void and of none effect.

XI. Stat. 13 Car. 2. cap. 12. The Stat. of 17 Car. 1. cap. 11. which extended, except what concerns the High Commission Court, or the proceedings of some such Court by Commission: and the Ecclesiastical Jurisdiction restored, as it was by Law before the year 1639.

XII. It shall not be lawful for any person Exercising Spiritual or Ecclesiastical Jurisdiction, to tender the Oath *Ex Officio*, or any other whereby the persons to whom, &c. may be compelled to conform to accuse or purge themselves of any criminal thing.

Cui in vita.

Stat. 2. 3. 13 E. 2. A Writ of *Entry* (called *Cui in vita*) is granted to the Wife for the recovery of her Land lost by the default of her Husband in his life-time: and in his life-time also she shall be allowed to defend her Right, if she come in before Judgment. The like Priviledge is given to the Reversioner, where the Land is in Power, by the Courtessie, for life, or by Gift, doth lose the Land, or will yield up the Land.

Customs, Customers, and Controllers

I. Stat. 14 E. 3. 21. A Mark shall be the Custom of a Sack of Wool and of Wooll-fells, and Leather the old Custom,

II. A Sack of Wooll shall contain 26 Stone, and each Stone Pounds: and for every Sack of Wooll Exported, four Nobles of Silver Plate shall be Imported, and brought to the King's change, where the party shall receive his Money for his Plate.

III. Woolls shall not be Coquetted but in the Name of the Owner, in pain to forfeit the same.

IV. Stat. 14 R. 2. 10. No Customer or Controller shall have any Ships of his own, nor meddle with the Freight of Ships.

V. Stat. 4 H. 4. 26. Every Customer upon his Account shall be sworn to render a true Account to the King.

VI. Stat. 11 H. 4. 2. None that holdeth a common Riddle shall be a Customer, Finder or Searcher.

VII. Stat. 3 H. 6. 3. No Customer, Collector, or Controller shall conceal Customs duly entred and paid, in pain to forfeit treble value of Merchandize so Customed, and to make Fine and Ransom to the King; of which Penalties the Prosecutor shall have a third part,

VIII. Stat. 11 H. 6. 15. Every Customer and Controller shall deliver to the Merchant a Warrant (under the Seal of their Office) of the Merchandize to them shewed, without Fee, in pain to be subject to be sued by the Merchant, and to forfeit for every fault, 10 l. to the King, and 5 l. to the Merchant.

IX. Stat. 20 H. 6. 4. Merchant Denizens that Transport Wooll, Wooll-fells, or Tin, to any other Place then the Staple shall pay such Custom and other Duties for the same as Merchants Aliens pay.

X. This Statute shall not prohibit such as have the Licence to Transport those Commodities to other Places than the Staple where (it seems) the Staple then was.

XI. Stat. 20 H. 6. 5. No Customer, Controller, Searcher, or Searchers, or their Clerks, Deputies, Ministers, Factors, or Servants, shall have any Ship of their own, use Merchandize in any Wharf, Inn or Tavern, or be a Factor, Attorney, or Host to any Merchant, in pain of 40 l. to be divided betwixt the King and the Searcher.

XII. Stat. 1 H. 7. 2. Aliens made Denizens shall pay Customs and Subsidies as they did before they were made Denizens.

XIII. Stat. 3 H. 7. 7. Every Merchant that Imports Goods into this Realm, Entering the same with the Customs at the Port where he Lands, and paying there all Duties, if he will Transport them to some other Port, shall obtain a Certificate from the Customers Seals, expressing the nature, colour, length, breadth, content or weight of such Goods, to be directed and delivered

Customers of the Port where they are to be conveyed, before they be discharged, in pain to forfeit the said Goods, to be divided betwixt the King and the Prosecutor. And the Customers are to make a true Certificate thereof in pain to forfeit their Offices, and make Fine at the Kings pleasure.

XIV. No Merchant, Denizen or Stranger, shall make Entry of any Goods in the Customers Books, but onely in the Name of the right Owner, in pain to forfeit the same, suffer Imprisonment, and make Fine at the Kings pleasure.

XV. None shall take upon him to be a Customer, Controller or Searcher, in any City, Borough or Town, while he is a common Officer, or Deputy to a common Officer there, in pain to forfeit for every 6 months he so executes them together, to be divided betwixt the King and the Prosecutor.

XVI. Stat. 11 H. 7. 6. The Custom and Subsidy of all Woollen Cloths to be carried beyond Sea, wheresoever they were Packed, shall be paid to the Customers of the Port where they shall be Shipped, or to their Deputies.

XVII. Stat. 11 H. 7. 14. Merchants Strangers, though made Denizens, shall pay such Customs and Subsidies as they should have paid if they had not been made Denizens.

XVIII. Stat. 1 H. 8. 5. The Branch of the Statute of 3 H. 7. 7. concerning the Entry of Goods in anothers Name, is Repealed, because it seemed to extend as well to *English* men as Strangers.

XIX. Any *English* man, and other Subject of the King, may import in his own Name the Goods of another *English* man or stranger.

XX. Every Merchant-stranger may Custom in his own Name the Goods of another Merchant-stranger; so that such Merchant-stranger and also the Owner of the Goods, be charged with like Custom.

XXI. He that so Customs Goods that the King thereby loseth Custom or other Duries, shall forfeit the Goods to the King, and such to the party grieved as the Goods are worth.

XXII. None free of the Prizage or Butlerage of Wine shall Custom any Wines of another not free thereof, in pain to forfeit the value of the Wine so Customed.

XXIII. An Action of Debt is given to the party grieved against that Customs Goods in his own Name, when they are another to recover the value of the Goods so Customed.

XXIV. Stat. 4 H. 8. 6. No Collector or Controller of the Subsidy of Cloth of Gold, Silver, Baudekin, Velvet, Damask, Sattin, Tarron, Chamlet, or other Cloth of Silk, shall take any fee for Sealing the same, in pain to forfeit 20 *l.* for every time.

XXV. The Collector or Controller shall not delay the Merchant such Merchandize, in pain of 40 *s.* to be divided betwixt the Collector and the Merchant grieved.

XXVI. Stat. 2, 3 E. 6. 22. If any offend contrary to the Stat. 2 E. 6. 5. they shall forfeit all their Goods and Chattels, to be divided

divided betwixt the King and the Prosecutor, if the Action be prosecuted within three years.

XXVII. Stat. 12 Car. 2. cap. 4. Granted to the King for his life, one Subsidy called Tunnage, viz. of every Tun of Wine of the growth of any the Dominions of the French King, brought by way of Merchandise into the Port of London, by natural born Subjects 4 l. 10 s. by Strangers and Aliens 6 l. Of every Tun of the like Wine brought by way of Merchandise into other Places of this Kingdom by natural born Subjects, 3 l. by Aliens 4 l. 10 s. Of every Pipe of sweet Wines brought into the Port of London by natural born Subjects, 4 s. by Strangers and Aliens, 3 l. Of every Pipe of the like Wine brought into any other Places of this Kingdom by natural born Subjects, 30 s. by Strangers and Aliens, 4 s. and of every Awme of Rhenish Wine, or Wine of the growth of Germany, brought into this Realm, and the Dominions thereof, by natural born Subjects, 20 s. by Aliens 2 s.

XXVIII. Granted also Poundage, viz. of all Merchandise to be carried out of this Realm or any the Kings Dominions to the same belonging, or to be brought into the same of the value of every 20 l. 12 d. and of every 20 s. value of the native Commodities of the Realm, or Manufactures wrought of them to be carried out by Aliens, 12 d. more. Except out of this Grant Woollen Cloths made in England, commonly called old Draperies, and Wines paying Tunnage, Fish English taken, and brought in by English Bottoms, and all fresh Fish and Bestial that shall come into this Realm, and the Goods mentioned in the Book of Rates, to be Custom-free.

XXIX. Granted likewise for every short Woollen Cloth, called Broad Cloth not exceeding 28 yards in length, and 64 pound weight, and of every other short Cloth of old Drapery of lesser length and weight, accounting so many pieces to a short Cloth as is limited by the Book of Rates, to be Exported by natural born Subjects, 4 s. and 4 d. by Aliens 6 s. and 8 d. and so proportionably.

XXX. Goods put into any Boat or Vessel to be carried beyond Sea, or brought from beyond Sea, and unshipped to be laid on Land, the Duties aforesaid not being paid, or tendred to the Collector, or his Deputy, with consent of the Controller or Surveyor, not agreed for in the Custom-house, shall be forfeit, the one half to the King and the other for him that will seize or sue for them.

XXXI. If a Denizens Goods be taken at Sea or perished, whereof the Duties aforesaid shall be paid, or, &c. and that proved before the Lord Treasurer of England, Commissioners of the Treasury, Chief Baron of the Exchequer by examination of the Merchant, his Executors, or two Witnesses at least sworn, or other reasonable Witnesses and Proofsworn; the Merchant, his Executors, or Assigns shall amount to in Custom, without paying any thing: So that the Proof be Recorded and allowed in the Exchequer, and certified by the Collectors of the Customs.

XXXII. Denizens that Ship in Carracks or Gallies, shall pay as Aliens.

XXXIII. Herring and other Sea-fish may be Transported in Vessels of the Subjects of this Realm, without paying any thing.

XXXIV. Because no Rates can be imposed on Merchandise but by common consent in Parliament, the Rates intended by this Act shall be the Rates mentioned in the Book of Rates.

XXXV. Customers and Collectors shall take no other Fees than were taken 4 Jac. where the Goods Exported or Imported amount to 5 *l.* pound value or more.

XXXVI. Over and above the Rates above mentioned there shall be paid of every Tun of Wine of the growth of *France, Germany, Portugal, Madera*, 3 *l.* and of every Tun of other Wines 4 *l.* within nine months after the Importing: for which Security shall be given. And if any of the said Wines be Exported within 12 months after their Importation, the Duty shall be returned, or Security discharged for so much. The Importer shall be allowed after the Rate of 10 per cent. for ready money.

XXXVII. Wines Imported shall be free from Excise.

XXXVIII. Prize-Wines shall not be charged with any payment by this Act, Confirmed 13 Car. 2. cap. 7.

XXXIX. Stat. 12 Car. 2. cap. 19. If any persons cause any Goods to be Landed, for which Duties are payable by vertue of the foregoing Act, or to be conveyed away without Entry thereof made, and the Customer or Collector, &c. agreed with, upon Oath thereof before the Lord-Treasurer, any of the Barons of the Exchequer, or the Magistrate of the Place where, &c. or Place next adjoining, the Lord-Treasurer, or, &c. may issue a Warrant to any person or persons, with the assistance of a Sheriff, Justice of Peace or Constable, to enter in the day-time, and in case of resistance, to break open Houses where such Goods are suspected to be concealed, and seize them. All Ministers of Justice are required to be assisting.

XL. No House shall be entered by vertue of this Act but within a month after the Offence supposed to be committed.

XLI. If the Information whereupon any House shall be searched prove false, the party injured shall recover full Damages and Costs against the Informer in an Action of Trespass.

XLII. This Act shall continue but to the end of the first Sessions the next Parliament. Confirmed 13 Car. 2. cap. 7.

XLIII. Stat. 13 & 14 Car. 2. cap. 11. No Vessel arriving from abroad Sea, shall be above three days coming from *Gravesend* to the place of her discharge in the *Thames*, without touching at any Place between *Gravesend* and *Chesters Key*, (except by reason of some just impediment to be allowed by some principal Officers of the Customs) and then or before the Master and Purser shall make true Entry upon Oath of the Lading, with the Marks, Qualities, &c. of every Parcel of Goods, and where she took in her Lading, of what she was built, how Manned, who was Master and Owners: and in
out.

out-Ports to come directly to the Place of Unlading, and make Entries, &c. on the Penalty of 100 l.

XLIV. No persons taking charge of any Vessel outward bound having Commission from or belonging to the King of England, or any Foreign Prince or State, or otherwise, shall take in any English Goods, till he have entred such Vessel in the Book of the Commissioners, Customer and Controller outwards of the Port, where, the Name of the Captain or Master, burthen of the Vessel, number of the Guns, and Ammunition, and to what Port she intends; and before they depart, they shall bring to such Customer, &c. a Content under their Hand of the Names of every Lader, with the Marks and Numbers of the Goods, and shall in the open Custom-house upon Oath to the best of their knowledge answer the Questions to be demanded by persons appointed to manage the Customs, &c. concerning such Goods, on pain to forfeit 100 l.

XLV. And no such Captain, Master, or other taking charge of any Vessel of War, wherein Goods have been brought from beyond Sea, or out of Scotland, shall put into any Boat, or lay on Land any Goods before he have signified in Writing to the Customer and Controller inwards, the Ladens Names, Number, Marks, Quantity and Quality of every Parcel of Goods, and have answered upon Oath to such Questions as shall be Administred in the open Custom-house by, &c. and such Vessels shall be liable to all Searches and other Rules, that Merchants Ships are, (Vittualling-Bills and Lading excepted) on pain to forfeit 100 l. and upon refusal to make such Entries outward or inward, the said Customers, &c. may enter such Vessel, and bring into the Kings Store-house all Goods prohibited and uncustomed.

XLVI. Officers of the Customs may Enter any Vessel, and bring on Shore all Goods prohibited and uncustomed, except Jewels, outward bound; and if inward bound, may bring into the Kings Store-house all Goods found in any small package or secret place, or out of the Hold: and all Goods for which the Duties of Tonnage and Poundage were not paid or compounded for within 20 days after the first Entry of the Ship, there to remain till the Kings Duties are satisfied, unless they see cause to allow a longer time. If any Purser, &c. suffer any Package to be opened, and the Goods seized or put into any other Package after the Ship comes to Port, he shall forfeit 100 l.

XLVII. If any concealed Goods are found after clearing, which the Duties due upon Importation have not been paid, the Master or other taking charge of such Vessel shall forfeit 100 l. And any person authorized by Writ of Assistance under the chequer Seal may take a Constable or other Officer, and enter any House or other place, and in case of resistance break open Trunks, &c. and seise and bring Goods prohibited and uncustomed into the Kings Store-house.

XLVIII. No Foreign built Ship not named in a List to be

ward by the Officers of the Customs in all Ports to the Collectors and Surveyors of the Port of London, before Decemb. 1662. shall enjoy the privilege of a Ship belonging to England or Ireland, except such as shall be condemned as Prize. All persons that shall resist, abuse, bear, &c. any of the said Officers or their Deputies in the execution of their Office, shall by the next Justice of Peace or other Magistrate be committed to Prison, till the next Quarter Sessions, to be Fined not exceeding 100 £. and to remain in Prison till discharged by Order of the Exchequer, or till they discover who sent them on work.

XLIX. If Keepers of Wharfs, Keys, Cranes, or their Servants, Land or Ship, or suffer to be Landed or Shipt, Goods prohibited, whereof any Duties are payable, without the presence of some of the Officers of the Customs, or at times not appointed by Law (except in the Port of Hull, as by 1 *Eliz. cap. 11.*) or Goods passing by Certificate, Waste, Cockquet, or otherwise, without the presence of, or notice given to an Officer, such Keepers of Wharfs shall forfeit 100 £. and if any Goods shall be Laden into any Boat to be carried Aboard any Vessel outwards bound, or taken out of any Vessel arriving from Foreign Parts, without a Warrant and presence of an Officer, such Boat shall be forfeited, and the Master or other Master of any Ship Inward bound consenting thereto, shall forfeit the value of such Goods. Persons assisting in the Landing or Shipping of such Goods, being apprehended by Warrant of a Justice of the Peace, the Fact being proved by the Oaths of two Witnesses, for the first Offence shall be committed to the next Gaol, till they find security to be of good behaviour, till they be discharged by the Lord Treasurer, Chancellor, under-Treasurer, or Barons of the Exchequer, and for the second Offence be committed for two months, or till they pay 5 £. to the Sheriff for the Kings use, or till they be discharged by the Lord-Treasurer, &c. Goods Shipped to be carried Aboard, and Landed at any other Place of this Realm, without a Warrant from the Officers of the Customs, shall be forfeited, and the Masters of Vessels taking in such Goods shall before the Vessel be out of Port take a Cockquet, and become bound to the King for good Security in the value of the said Goods, for delivery thereof at some Place within the Realm, and to return a Certificate within six months from the Officers of the Customs, Signed by some appointed Justice of the Customs, or their Deputies where the same shall be Landed, that such Goods were there discharged. Officers making false Certificates of Goods that should have been Landed, shall lose their Employment, and forfeit 40 £. and suffer six years Imprisonment, and be incapable of any Place of Trust or Office in the Customs, and liable to such Corporal punishment as the Council or Exchequer shall think fit. Persons countessailing, or falsifying any Cockquet, Certificate, or Return, Transire, or Custom-house Warrant, shall forfeit 100 £. and the Cockquet, &c.

LI. If any Goods for which Subsidy or Custom is payable shall secretly conveyed on Board any Vessel, and escape discovery by the Officers of the Customs, and be carried beyond Sea, the Owners of them, or others that Shipped them, shall forfeit double their value computed according to the Book of Rates: except for Coal, which so secretly Exported, shall pay double the Duty, to be Levied by the Act for Tunnage and Poundage is directed.

LII. Merchants and others passing Goods inwards or outwards shall by themselves or their Agents subscribe one Bill of every Entry with the Mark, Number and Contents or Weight of the said Goods without which no Entry shall pass: and no Children of Aliens under the Age of 21 years shall be Traders, nor Goods Entred in the Names.

LIII. In Suits upon any Law concerning Tunnage and Poundage or Ships or Goods to be forfeited by reason of any unlawful Importation or Exportation, there shall be no party Jury.

LIV. Merchants and others having Allowances inwards, upon Oath by themselves or their Factors, receive the Money upon Debentures for such Foreign Goods Exported by such Certificate, with such Allowances as were made them upon the Importation. And if they Ship out less than is expressed in their Certificate the Goods therein mentioned, or their value, shall be forfeited, and the Owner receive back no part of the Subsidy for them. Goods so Shipped out, and Landed again within the Realm, to save them from perishing, shall be forfeited, or the value of them, and no Allowance made for them.

LV. Goods brought out of, or carried into Scotland by Land shall be carried through *Berwick* or *Carlisle*, and shall there pay the Custom and Subsidy granted by the Act for Tunnage and Poundage and Goods passing the said Places without Entry and Payment shall be forfeited.

LVI. The King may from time to time by Commission out of the Exchequer appoint Places (except the Town of *Hill*) for Landing or Shipping Goods, and to what Ports such Places shall pertain: and where any such Place shall be appointed, the Collector, Controller and Searcher of the head Port, their Clerks or Deputies shall reside there: and by virtue of the said Commissions, may appoint the Limits of every Port, Haven or Creek, so no Goods shall be put into any Vessel to be Exported (Fish and the Kings Subjects, Sea-coal, Stone and Bestials onely excepted) laid on Land, to be Imported (Fish taken by the King, and Bestials and Salt onely excepted) by way of Merchandise, in any such open place, without leave from the Officers of the Customs, who shall pain to forfeit all such Goods.

LVII. No Ship or Goods shall be seized as forfeited for Importation or Exportation, or Non-payment of any Customs, or Subsidies, but by the Officers of the Customs, or by Warrant from the Lord Treasurer, or Under-Treasurer, or by special Commission.

from under the Great Seal or Privy Seal, and Seisures by others shall be void.

LVIII. In every Suit wherein any Officers of the Customs, or persons authorized to put in execution the Act of 12 Car. 2. cap. 18. for encouraging Navigation, or others acting in aid of them, shall be prosecuted, they may plead the General Issue, and give this or the said Act in Evidence.

LIX. If any Officer shall prosecute to effect the Ships and Goods by him seized or informed against, the persons managing the Customs, or Officers of the Customs, or others deputed by them, or authorized by the Lord-Treasurer, or Under-Treasurer, may make seizure, or inform against such Goods, or bring his Action by Deverment, and shall have the benefit of Informers or Seisurs.

LX. No Informer or Seiser shall compound under one third of the appraised value, upon loss of his Office.

LXI. If any employed about the Customs and Subsidies take any Bribe, or connive at any false Entry, they shall forfeit an 100 l. and be incapable of any Employment under the King, and the person giving such Bribe, shall forfeit 50 l.

LXII. Persons offending as aforesaid that shall reveal their Offence in two months time to the Treasurer of England, the Chancellor, Under-Treasurer, or Barons of the Exchequer, shall be discharged.

LXIII. Foreign Goods permitted to be Landed by Bills at sight, shall be Landed where the Managers of the Customs, Custom Collector or Controller shall appoint, and there or in the Kings Warehouse at their Election shall be measured, weighed, and numbered by and in the presence of the Officers to be thereto particularly appointed: who shall perfect the Entry, and subscribe their Names, and the next day give account to them that manage the Customs, Custom Collector and Controller, without cause to be alleged by them, or shall forfeit 100 l.

LXIV. No Vessel employed for the carriage of Letters and Packages, unless in cases to be allowed by the Officers of the Customs, shall Export or Import any Goods, on pain of 100 l. to be paid by the Master, with the loss of his Place, and all Goods found Aboard the Vessel shall be lost.

LXV. No Wines, other than Rhenish, no Spicery, Grocery, Tobacco, Pot-Ashes, Pitch, Tar, Salt, Rozen, Deal-Boards, Fir, Timber, or Olive Oyl, shall be Imported from the Netherlands or Germany, on pain to lose the said Goods, and the Ship and Furniture.

LXVI. Any Vessel upon which the Imposition of 5 s. per Tun is laid by the Stat. of 12 Car. 2. cap. 18. which shall put on Shore any Boat, Goods or Passengers, without paying Custom and Tonnage, returning into England or Ireland, shall pay what was formerly due, and forfeit 10 l. And Pilots, Watermen, &c. bringing Goods on Board such Vessel, shall pay the Duty of Tonnage which the Vessel should have paid, and forfeit 40 l.

LXVII.

LXVII. Vineger, Perry, Rape, Cyder, and Cyder-eagen, 4 l. 10 s. per Tun, Imported by *English*, and 6 l. Imported by *Foreigners*, to be Levied as by the Act of Tunnage and Poundage. In case of Exportation there shall be allowed to the *English* Exporter 3 l. 10 s. and to the Alien 4 l. 10 s. per Tun according to the Book of Rates,

LXVIII. Logwood may be Imported and used in Dying, notwithstanding any former Statute, paying for every Tun Imported in such manner, and under such Penalties as are provided in the Act of Tunnage and Poundage, 4 l. per Tun shall be repaid to the Exporter.

LXIX. All Suits, &c. upon the Act for encouraging Ships and Navigation may be prosecuted in the Exchequer. In Suit upon the Act of Tunnage and Poundage and the said Act, or any other Act concerning Importation of Goods, and if the property be claimed by any as Importer, the *Omnis probandi* shall lie upon such Importer or Claimer.

LXX. If the Seizure or Suit be upon the Stat. of 12 Car. 2. the Defendant may have a Commission out of Chancery to examine Witnesses beyond Sea, which shall be Evidence at Law.

LXXI. No Writ of Delivery shall be granted out of the Exchequer for Goods seized, but upon good Security, and that for perishable onely, or where the Informer shall delay the Trial.

LXXII. One moiety of all the Forfeitures by this Act shall be to the King, the other to the Informer.

LXXIII. Officers belonging to the Admiralty, Commissions Ships, Castles and Block-houses, and all the Kings Officers and jests, shall be assisting to the Officers of the Customs and duties, in the execution of this Act.

LXXIV. None shall be employed about the Customs who have taken an Oath for the faithful execution of their Oaths: and the Commissioners and principal Officers in the City of London, and the principal Officers in other Ports, or two of them may Administer such Oath, and cause it to be Registered in the respective Custom-houses.

LXXV. If any person employed in the Customs demand greater Sums than are due by Law, or put any Merchant out of his Turn, without Order before, or Approbation of the Persons appointed to manage the Customs, or the Justices for the same, or illegally detain the Goods of any, or to make Repayments and Allowances, or after notice do not out or execute his Warrant, he shall be liable to double the Damages.

LXXVI. Persons Exporting Goods out of any Port except a Vessel of 200 Tun, to any Place of the *Mediterranean Sea*, *Malaga*, or Importing Goods from those Places, in a Vessel having two Decks, and carrying less than 16 Pieces of Ordnance, two Men for each Gun, and other Ammunition proportionable to the Tun

pay for the Wares so Exported or Imported, 1 per cent. be-
Tonnage and Poundage, except where one moiety of the La-
Exported; is Fish onely, in which case any Wares may be Im-
ported for that Voyage, paying the Duties heretofore accustomed.

LXXVII. Salt brought out of Scotland shall pay to the King one
half-penny upon every Gallon, *winchester* measure, at the Landing
thereof.

LXXVIII. Stat. 30 Car. 2. cap. 2. For all Wines and Vineger
Imported after the First of *August* 1678, and before the First of *Aug-*
1681, there shall be paid to the King, for Wine 12 l. and for
Vineger 8 l. per Tun, and so for greater or lesser quantities.

LXXIX. The Importers shall upon Entry, and before Landing,
pay the said Duties, or become bound to the King with two or more
sureties, or procure three persons to be bound to pay the same by
three equal payments, the first within three, the second within six,
and the last within nine months after the date of the Obligation.
The taking which Bonds, and approbation of the Sureties, is left to
the Farmers or Commissioners of the Customs and Subsidies of Tun-
nage and Poundage, or their Deputy Collectors, or such as the King
shall appoint to Collect Duties arising by this Act.

LXXX. Importers for their own private use shall pay the said
Duties without any time given, or any discount.

LXXXI. Importers by way of Merchandise shall be allowed
1 per cent. for ready Money.

LXXXII. If any of the said Liquors shall be Imported without
the Payment or Security, &c. they, or the value, shall be for-
feited, one moiety to the King, the other to him that will sue for
the same in any Court of Record, in which Suit but one Impar-
lance shall be allowed the Importer, notwithstanding such Forfeiture shall
be the Duty.

LXXXIII. Importers shall pay but for so much as shall remain
after such Allowances as are directed to be made by the Act
of Tonnage and Poundage, and the Rules for Collecting the Duties
thereby.

LXXXIV. To such Importers (not being Vintners or Retailers)
shall make Oath before the Commissioners of the Customs, &c.
that the same are Imported as Merchandise, in consideration of any
loss that may happen by the said Liquors lying on their hands,
or accidents, shall be allowed 8 l. per cent. more.

LXXXV. No Merchant shall be charged with the said Duty for
Wine.

LXXXVI. Persons Exporting the said Liquors shall receive back
the Duty, nor shall their Securities be lessened or dis-

LXXXVII. The Officers of the Customs, or such as the King
shall appoint to Collect the Duties arising by this Act, may do all
things necessary to secure them, which any Officers of Ports may do
for Tonnage and Poundage. And all the said Liquors Im-
ported,

ported, without performing what by this Act is required, Officers of the Customs, Importers and other Collectors, shall be liable to the same Penalties which by vertue of any former Act may be inflicted where the King is defrauded of any of his Customs and Subsidies.

LXXXVIII. If any Liquors seized shall be claimed by the Importer, the proof whether the Duties were paid or secured, shall be upon such Claimer.

LXXXIX. Stat. 20 Car. 2. cap. 1. An Act for raising 310000 by an Imposition on Wines and other Liquors. *Expired.*

XC. Stat. 22 Car. 2. cap. 3. An Act for granting to his Majesty an Imposition upon all Wines and Vineger Imported betwixt the 24th of June 1670, and the 24th of June 1678. *Expired.*

✧ Customs and Usages.

I. Stat. 31 H. 8. 3. The Mannors, &c. of Thomas Lord Cromwell and others, within the County of Kent, being Gavulkind lands, shall hereafter descend as Lands at the Common Law.

✧ Custos Rotulorum.

I. Stat. 37 H. 8. 1. None shall be *Custos Rotulorum* but he who shall have a Bill Signed by the Kings Hand for the same, which shall be Warrant for the Lord-Chancellor to put and continue him in Commission to be *Custos Rotulorum*, until the King shall appoint otherwise.

II. The *Custos Rotulorum* may execute that Office by a Deputy Learned in the Laws, and able to supply that Place.

III. The *Custos Rotulorum* shall have power to appoint the Justices of the Peace, who may also execute it by a sufficient Deputy approved by the *Custos Rotulorum*.

IV. This Act shall not inhibit the Archbishop of York, the Bishop of Durham, the Bishop of Ely, and all others having power (by the Grant of the King or his Progenitors) to name the *Custos Rotulorum* within their several Jurisdictions, to use the liberty which they had before.

V. Stat. 3, 4 E. 6. 1. The Lord-Chancellor or Keeper of the Great Seal shall point the *Custos Rotulorum* in every County of England, Wales, and other the Kings Dominions, who may execute his Office by Deputy or by his Deputy. Howbeit the power of others is saved who have power to name the *Custos Rotulorum*.

Days in Bank.

Stat. DE Anno Bissextili, 21 H. 3. The day increasing in the Leap-year, and the day next going before, shall be accounted for one day. And this was done to avoid the doubt of the year and day that were wont to be assigned to sick persons, being impleaded, to the end they might know (when the Leap-year opened) how to reckon their year and day.

Stat. 31. H. 3.

ut as Sancti Mich.

Quinzime Mich.

Tres Mich.

Crasino Anim.

Crasino Mart.

ut as Martini,

Quinzime Mart.

ut as Hilarij,

Quindena Hilarij,

Crasino Purific.

ut as Purific.

Quindena Pasche,

Tres Pasche,

Quinzime Pasche,

Quinzime Pasche, or

Craft. Ascens.

ut as Trin.

Quindena Trin. or

Craft. S. Joh. B.

ut as S. Joh. Bapt.

Quindena S. Joh. B.

Day shall be given thereupon unto the

ut as Sancti Hil.

Quinzime Hil.

Crasin. Purific.

Quinzime Pasche.

Tres Pasche.

Mense Pasche.

Quinque Pasche.

ut as Trin. and sometimes

in Craft. S. Joh. B.

Craft. & ut as S. Joh. B.

Quindena S. Joh. B.

ut as Mich.

Quinzime Mich.

Tres Mich.

Mense Mich.

Craft. Mart.

Craft. Mart.

LIBRARY.

Quinzime Mart.

Quinzime Mart.

And so every Term shall answer to other.

Stat. 51 H. 3. Concerning general Days in a Writ of

If the Writ come in

Octabis Mich.
Quindena Mich.
Tres Mich.
Mense Mich.
Crastino Anim.
Crastino Mart.
Octabis Mart.
Quindena Mart.
Octabis Hil.
Quindena Hil.
Crastino Purific.
Octabis Purific.
Quindena Paschæ,
Tres Paschæ,
Mense Paschæ,
Quinque Paschæ,
Crastino Ascens.
Octabis Trin.
Quindena Trin.
Crastino Johannis,
Octabis Johannis,
Quindena Johannis,

Day shall be given until

Crastino Animarum.
Crast. Martini.
Octabis Martini.
Quindena Martini.
Octabis Hilarii.
Quindena Hilarii.
Crastino Purific.
Octabis Purific.
Quindena Paschæ.
Tres Paschæ.
Mense Paschæ.
Crastino Ascens.
Octabis Trin.
Quindena Trin.
Crast. Joh. Bapt.
Octabis Joh. Bapt.
Quindena Johannis.
Octabis Mich.
Quindena Mich.
Tres Mich.
Mense Mich.
Crastino Anim.

IV. *Marthæ. 12. 32 H. 3.* In Dower (*unde nihil habet*) days shall be given in the year, and more if conveniently may be so that they shall have five or six days (at least) in the year.

V. In Assises of *Darrein presentment*, and a Plea of *Quare* days shall be given from 15 to 15, or from three weeks to three weeks, according to the distance of the Place.

VI. In a *Quare Impedit*, if the Disturber come not in person, nor call an *Essoin*, he shall be Attached at another time; when if he come not, nor call an *Essoin*, the great Distress shall be against him; when if he come not, a Writ shall be sent to the sheriff, that the Disturber claim not for that time to the process of the Plaintiff, saving unto him his Right at another time.

VII. The same Law shall be observed for Attachment and distresses, so that the second Attachment shall be made by the sheriff, and after the last Distress.

VIII. *Stat. 32 H. 8. 21.* There shall be onely four days in Return in *Trinity Term*, viz, *Crast. Trin. Octab. Trin. Quindena Trin.* and *Tres Trin.*

IX. This Term shall hereafter begin upon the *Munday* after the *Sunday* for keeping of *Essoins*, *Profers*, *Returns*, and other ceremonies formerly used; and the Term shall begin the *Friday* after *Corpus Christi* day, being always the *Friday* next ensuing.

X. If a Writ any real tion come and be re- nable	<i>Octabis Hil.</i>	} Day shall be given in	<i>Craft. Trin.</i>
	<i>Quindena Hil.</i>		<i>Octab. Trin.</i>
	<i>Craftino Purific.</i>		<i>Quindena Trin.</i>
	<i>Octab. Purific.</i>		<i>Tres Trin.</i>
	<i>Craft. Trin.</i>		<i>Craft. Anim.</i>
	<i>Octab. Trin.</i>		<i>Craft. Martini.</i>
	<i>Quindena Trin.</i>		<i>Octabis Martini.</i>
	<i>Tres Trin.</i>		<i>Quindena Martini.</i>

XI. If any rit of Dow- come in be return-	<i>Quindena Paschæ,</i>	} Day shall be given in	<i>Craftino Trin.</i>
	<i>Tres. Paschæ,</i>		<i>Octab. Trin.</i>
	<i>Menſe Paschæ,</i>		<i>Quindena Trin.</i>
	<i>Quinque Paschæ, or</i>		<i>Tres Trin.</i>
	<i>Craft. Ascens.</i>		
	<i>Craftino Trin.</i>		<i>Octab. Mich.</i>
	<i>Octabis Trin.</i>		<i>Quindena Mich.</i>
	<i>Quindena Trin.</i>		<i>Tres Mich.</i>
	<i>Tres Trin.</i>		<i>Menſe Mich.</i>

XII. All common Writs and Proceſſes (as well personal as mixt) ſhall keep the ſaid Returns of *Trinity* Term ordained by this Act.

XIII. This Act ſhall not prohibit the Juſtices of the Kings Courts to record to aſſign ſpecial days of Return, in ſuch Caſes and Proceſſes as have uſed to have ſpecial days aſſigned.

XIV. The ſaid Statute of *Marlbridge* 12. and alſo 5 *E.* 3. (which ſhall be Attaint) being not contrariant to this Act, ſhall remain firm, withſtanding this Act.

XV. Stat. 16, 17 *Car.* 6. There ſhall be onely fix days of Return in *Michaelmas* Term, viz. *Tres Michael*, *Menſe Michael*, *Craft.* *Craft. Mart.* *Octabis Mart.* and *Quindena Mart.*

XVI. *Michaelmas* Term ſhall hereafter begin at *Tres Mich.* for keeping of *Effoins*, *Proſers*, *Returns*, and other Ceremonies afore uſed, and the full Term ſhall be four days after. How- ever if the beginning of the Term or the ſaid fourth day happen to be Sunday, then the next day is to be kept for it.

XVII. If any Writ in any real Action (other than Writs of Entry for common Recoveries, Writs of Right and Advowson, and Writs of Dower, *unde nihil habet*, hereafter mentioned) come in and be returnable

Tres Mich.
Mense Mich.
Crastino Anim.
Crastino Mart.
Octab. Mart.
Quindena Mart.
Octab. Hil.
Quindena Hil.
Crast. Purific.
Octab. Purific.
Quindena Pasche,
Tres Pasche,
Mense Pasche,
Quinqu Pasche,
Crast. Ascens.
Crast. Trin.
Octab. Trin.
Quindena Trin.
Tres Trin.

Then day shall be given

Crastino Purific.
Octabis Purific.
Quindena Pasche,
Tres Pasche,
Mense Pasche,
Quinqu Pasche,
Crast. Ascens.
Crast. Trin.
Octab. Trin.
Quindena Trin.
Tres Trin.
Tres Mich.
Mense Mich.
Crast. Anim.
Crast. Mart.
Octab. Mart.
Quindena Mart.
Octab. Hilari.
Quindena Hilari.

XVIII. Provided that in Writs of Dower (*unde nihil habet* Issue joyned, 15 days betwixt the *Tiste* and the Term at which the same is returnable, as is used in personal Actions.

XIX. *Crastino Ascens.* shall be a good Return, notwithstanding there be not 15 days between the *quarto die* of that Return, and the Effoin-day of the Return of *Crast. Trin.* Also the Return of *Mich.* to *Crast. Anim.* shall be a good Return, albeit there be not 15 days between the *quarto die* of *Tres Mich.* and the Effoin-day of *Crast. Anim.*

XX. All Writs of Summons *ad warrantandum* against the Tenant upon common Recoveries had in Writs of Entry upon the possession of the Tenant, and all Writs of Right of Advowson, shall be abridged to five Returns, as Writs of Summons *ad warrantandum* in Writs of Dower have been heretofore used.

XXI. This Act shall not prohibit the Justices of the Courts of Record to assign special days of Return in such Cases and Processes as have used to have special days assigned.

XXII. The days in Assise of *Darrein presentment*, and in *Quare impedit*, limited by the said Statute of Marlebridge, and the days given in Attaint, limited by 5 E. 3. 8. and 25 E. 3. 8. (which see in Attaint) being not contrary to the tenour of the Statute shall be held firm, notwithstanding this Act.

Damages and Costs.

- I. *Gloucestre* 1. 6 E. 1. Damages are given in Assises of *Nove Disseisin* as well against the Alienee of the Disseisor, as against the Disseisor himself; so that every one shall answer for his time.
- II. The Disseisee shall recover Damages in a Writ of Entry upon *novel disseisin* against him that is found Tenant after the Disseisor.
- III. Damages shall be awarded in all Cases, where one recovereth in an Assise of *Mortdancestor*: and also in Writs of *Cousinage*, *Ayel* and *Besayel*.
- IV. The Demandant may recover against the Tenant the Costs of his Writ, together with the Damages aforesaid: and this Act shall hold place in all cases where the party is to recover Damages.
- V. *Gloucestre* 14. 6 E. 2. Disseisees in *London* shall have Damages Recognisance of the same Assise whereby they recovered their lands, and the Disseisors shall be Amerced before two Barons of the Exchequer, which shall resort once a year into the Cities to do so; and the Barons and Treasurer shall cause it every year to be viewed by two of them at their rising after *Candlemas*. And the Amercements shall be Levied by Summons of the Exchequer to the same use.
- VI. Exposition of *Gloucestre*, 6 E. 1. Where any have entred a Disseisor, the Damages shall run from the time of the Statute established.
- VII. In Writs of Entry *sur Disseisin*, *Mortdancestor*, *Cousinage*, *Ayel* and *Besayel*, and touching Intrusion, or of ones own act, by any man, of Writ, the Damages shall run, after the Writ purchased, against them that hold since the Statute, albeit their Ancestors died before thereof.
- III. Stat. 3 H. 7. 10. Where any person bound by a Judgment shall sue (before Execution had) a Writ of Error to reverse the Judgment be affirmed, the Writ discontinued, or the party suedth it be Non-suit, the party against whom the Writ is suedth shall recover his Costs and Damages at the discretion of the Justices before whom the said Writ is sued.
- Stat. 19 H. 7. 20. The Statute of 3 H. 7. 10. is confirmed, and shall be duly put in execution.
- Stat. 23 H. 8. 15. If the Plaintiff be Non-suit or overthrown in a Trial in any Action, Bill or Plaint, for Trespass upon the Land of 3 R. 2. 7. (which see in Forcible Entry, 1.) or for any Breach of Covenant upon Specialty or Contract, or for *Detinue*, *Account* upon the Case, or upon any Statute, the Defendant shall in such Case have his Costs, to be Assessed by the Judge or Judges of the Court, and to be recovered as the Plaintiff might have recovered in case Judgment had been given for him.
- Here, he that sues *in forma pauperis* shall (not pay Costs, but) such punishment as the Justices or Judge of the Court shall think fit.

XII. Stat. 24 H. 8. 8. There shall be no Costs awarded to the Defendant, when any Action is sued to the Kings use.

XIII. Stat. 43 Eliz. 6. In personal Actions in the Court at *westminster*, (being not for Land or Battery) when it shall appear to the Judges (and so by them signified) that the Debt or Damages to be recovered amount not to the Sum of 40 s. or above, the said Judges shall award to the Plaintiff no more Costs than Damages, but less, at their discretion.

XIV. Stat. 4 Jac. 3. If the Demandant or Plaintiff be No suit or overthrown by lawful Trial in any Action whatsoever, the Tenant or Defendant shall have Costs, to be Assessed and Levied. Costs are to be Assessed and Levied by the Statute of 23 H. 8. 14.

XV. Stat. 21 Jac. 16. In Actions of Slander, if the Jury or Asses the Damages under 40 s. the Plaintiff shall recover more Costs than Damages.

XVI. 13 Car. 2. Stat. 2. cap. 2. If any prosecute a Writ of Error for the reversal of any Judgment after Verdict, in any of the Courts at *westminster*, or in the Counties Palatine of *Chester*, *Lancaster*, *Durham*, or in the Courts of great Sessions in any of the 12 Shires of *Wales*, and the Judgment be affirmed, they shall pay double Costs in Popular Actions, and Actions upon Penal Laws (except Debts of Tythes) and Indictments, Informations, Appeals, &c. are accepted.

XVII. Stat. 22 & 23 Car. 2. cap. 9. In all Actions of Treason, Assault and Battery, and other personal Actions, wherein the Jury shall not certify upon the Back of the Record, that a Battery was proved, or the Free-hold or Title of the Land chiefly in Question to the Plaintiff, if the Jury find the Damages under 40 s. shall recover no more Costs than Damages; and if more Costs are awarded, the Judgment shall be void, and the Defendant may have a Writ of Trespass against the Plaintiff for such vexatious Suit, in any Court of Record, and shall recover his Damages and Costs.

Damage Cleer.

I. Stat 17 Car. 2. cap. 6. No Damage Cleer shall be taken after the 29th of September 1672. And if any Officer in any of the Courts take or exact any Money in the name of *Dama Cleer* for any thing in lieu thereof, he shall forfeit treble the value thereof recovered in any of the said Courts by the party grieved.

Darrein Presentment.

I. Magna Charta, 13. 9 H. 3. Assises of *Darrein Presentment* shall be taken before the Justices of the Bench, and there determined.

Debt.

I. *Stat. 2. 13 E. 1.* None shall restrain a Foreiner in any Ciry, Borough, Town, Market or Fair, for any Debt wherefore he is not Debtor or Pledge, in pain to be grievously punished; and if he be, the Distress shall be re-delivered without delay by the Bailiff of the Place, or the Kings Bailiff, if need be.

H. *Stat. 1. R. 2. 12.* No Warden of the Fleet shall suffer any Prisoner (being in by judgment) to go at large by Mainprise, Bail or Baston, without agreeing with the party for the thing adjudged, (unless it be by Writ, or other Command of the King) in pain to lose his Office.

III. The Warden being Attainted thereof by due Process, the Plaintiffs shall have their recovery against him by Bill of Debt.

IV. If any person, being judged to another Prison, shall (with purpose to be removed to the Fleet, and there to have more liberty) confess himself Debtor to the King, the said Recognisance shall be received; and if he be not Debtor to the King upon Record, he shall be remanded, and there remain until he hath agreed with the party, and afterwards shall be sent to the Fleet, and there remain until the King be satisfied the Cognisance.

V. *Stat. 2 R. 2. Parl. 2, 3.* Where a Debtor makes a fraudulent Conveyance to defraud the Creditor, if upon the *Capias* for the Debt the Sheriff return he hath not taken him, because of some privileged Place where he lies; the Sheriff shall have another Writ to make Proclamation once a week five weeks together, at the Gate of the privileged Place, that the party appear at the day comprised in the last Writ: and then, upon return of the said last Writ, that Proclamation is made accordingly, if the party appear neither by himself, nor his Attorney, Judgment shall be given against him upon the Principal for his default, and also (the Collusion being proved) Execution had of all his Goods and Lands without the Place privileged, as well those Demised as others.

VI. *Stat. 3. Jac. 15.* Every Citizen and Freeman of London, and every other person there inhabiting, being a Tradesman, Victualler or Labourer, which hath any Debt due to him, amounting to 10s. by any such person aforesaid, may cause the Debtor to be Summoned to the Court of Requests at *Guildhall*, upon a Writing to be sent at the Debtors House by an Officer of the same Court, or by some other reasonable warning, to appear before the Commissioners there, who (or any three of them) shall have power to make Orders therein, to be Registered in a Book, and duly observed by both parties.

VII. The Commissioners also (or any three or more of them) have power to Administer Oaths both to the Parties and Witnesses.

VIII. If any such persons as aforesaid, for any such Debt, commence any Suit elsewhere against any other like person, and that it appear to the Judge upon the Defendants own Oath, or other sufficient Testimony,

Debt to the King.

Testimony, that he is a Freeman, or Inhabitant of London, as aforesaid, and also that the Damages sued for amount not to 40s. the said Judge shall not allow to the Plaintiff any Costs of Suit at all, but shall award to the Defendant his reasonable Costs.

IX. None shall refuse to appear upon due Summons, or to obey the Commissioners Orders, in pain to be Imprisoned in one of the Compters of the said Officer, or any other of the Serjeants at Mace of the City, there to remain until their Orders be performed.

X. This Act shall not extend to any Debt for Rente, real Contracts, or concerning Testaments, Matrimony, or any thing belonging to the Ecclesiastical Court.

XI. Stat. 7 Jac. 12. None keeping a Shop-book, his Executors or Administrators, shall be allowed to give it in Evidence for Ware or Work above one year before the Action brought; unless they have obtained a Bond or Bill for the Debt, or brought an Action thereupon within one year after the Wares delivered or Work done.

XII. This Act shall not hold place between Merchant and Merchant, Tradesmen and Tradesmen, or Merchant and Tradesman, for any thing falling within the compass of their mutual Trades and Merchandise.

Debt to the King.

I. Magna Charta 8. 9 H. 3. The King nor his Bailiffs shall levy any Debt upon Lands or Rents so long as the Debtor hath Goods and Chattels to satisfy: neither shall the Pledges be Distrained so long as the Principal is sufficient; but if he fail, then shall the Pledges answer the Debt. Howbeit they shall have the Debt on Lands and Rents until they be satisfied, unless he can acquit himself against the Pledges.

II. Magna Charta 18. 9 H. 3. The Kings Debtors dying, the King shall be served before the Executor.

III. West. 1. 19. 3 E. 1. The Sheriff having received the Kings Debt, upon his next Account shall discharge the Debtor thereon in pain to forfeit three times so much to the Debtor, and to the King Fine at the Kings will.

IV. The Sheriff or his Heirs shall answer all Moneys that the King who he employs do receive; and if any other that is answerable to the Exchequer by his own Hands do so, he shall render three times so much to the Plaintiff, and make Fine as before.

V. Upon payment of the Kings Debt, the Sheriff shall give a Receipt to the Debtor, and the Process for Levying the same shall be stayed upon him upon demand without Fee, in pain to be grievously punished.

VI. Ant. super Chart. 12. 28 E. 1. Beasts of the Plough shall not be Distrained for the Kings Debt, so long as others may be taken upon such pain as is elsewhere ordained by Statute, (*viz.* by the Statute *De districtione Scaccarii*, 51 H. 3. which see in *Districks*.)

VII. The great Distresses shall not be taken for his Debt.

driven too far; and if the Debtor can find convenient Surety, the Distress shall in the mean time be released: and he that doth not otherwise, shall be grievously punished.

VIII. Stat. 13 *Elix.* 4. All the Lands, Tenements and Hereditaments, which any Accomptant of the Queen, her Heirs and Successors, hath while he remains accomptable, shall, for the payment of the Debts of the Queen, her Heirs and Successors, be liable and put in execution, in like manner as if such Accomptant had stood bound by Writing obligatory (having the effect of the Statute-staple) to her Majesty, her Heirs and Successors, for payment of the same.

IX. If this *super* be not paid within six months after the Accompt past, the Queen, &c. may sell so much of his Estate as will answer the Debt, and the overplus of the Sale is to be rendred to the Accomptant or his Heirs, by the Officer that receives the Purchase-money, without further Warrant.

X. If such an Accomptant or Debtor purchase Lands in others names in trust for their use, that being found by Office or Inquisition, those Lands also shall be liable to satisfy the Debt, in such manner as before is expressed.

XI. Lands purchased by Accomptants since the beginning of the Queens Reign, either in their own names, or in the names of others in trust for their use, shall be also liable to be sold for the discharge of their Debts as aforesaid, rendring the overplus to the Accomptant, as before.

XII. Provided, that Bishops Lands shall be onely chargeable for Subsidies or Tenths, as they were before the making of this Act, and not otherwise.

XIII. Neither shall this Act extend to charge any Accomptant whose yearly Receipt exceeds not 300 *l.* otherwise than as he was lawfully chargeable before this Act.

XIV. Neither shall this Act extend to such Accomptants as by order of their Offices, and charge immediately after their Accompts past, are to lay out money again; such as are the Treasurers of War, Garrisons, Navy, provision of Victuals, or for Fortifications or Buildings, and the Master of the Wardrobe; unless the Queen, &c. command present pay.

XV. Neither doth this Act extend to Sheriffs, Escheators, or Bailiffs of Liberties, concerning whose Accompts the course remains the same that it was before.

XVI. Lands bought of an Accomptant *bona fide*, and without notice of any fraudulent intent in the Accomptant, shall be discharged: And if they be found by Office, yet shall they upon Traverse be discharged without Livery, *Ouster le main*, or other Suit.

XVII. The Queen, &c. being satisfied by sale of Land, the Sureties shall be discharged for so much, and if any yet remain unpaid, the Sureties shall pay the residue ratably according to their abilities.

XVIII. Stat. 14 *Elix.* 7. The Statute of 13 *Elix.* 4. shall also extend to make the Lands, &c. and Goods of Under-Collectors substituted

140 Debt to the King, Decies tantum.

substituted by Bishops, and (*Sede vacante*,) by Dean and Chapter, to Collect the Tenth and Subsidies of the Clergy, liable to their Debts.

XIX. The said Under-Collectors shall accompt in the Exchequer; and the Bishop, and Dean and Chapter (*Sede vacante*,) shall be discharged of so much as is Levied of the Under-Collectors Lands, &c. and Goods.

XX. Stat. 27 Eliz. 3. The Queen, &c. may make sale of the Accomprants Lands, &c. as well after his death as in his life-time; and as well where the Accompt is made, and the Debt known within 8 years after his death, as where the Accompt is made, and the Debt known in his life time.

XXI. Provided, that after the Accomprants death, and before the Lands be sold, a *Scire facias* shall be awarded to Garnish the Heirs, to shew cause why Lands, &c. should not be sold, &c. whereupon if the Heir upon such Garnishment, or two *Nichils* returned, do not prove unto the Court, that the Executors or Administrators of the Accomprant have sufficient, then, ten months after such two *Nichils* or Garnishment returned, the Lands, &c. shall be sold, and disposed according to the Statute of 13 Eliz. 4.

XXII. Nevertheless, the Heirs sale *bona fide*, upon good consideration, before the *Scire facias* awarded, shall be good to him that is not consenting to defraud the Queen, &c.

XXIII. This Statute shall extend to all Officers of Receipts and Accompts to her Majesty, and to no other.

XXIV. If the Debt grow in the Courts of the Dutchy or Wards, privy Seal shall issue out against the Heir, to appear at a certain day, to shew cause, &c. when, if he appears not, upon *Affidavit* made that it was duly served, an Attachment, with Proclamation, shall sue out against him, to be proclaimed in some open Market in the County where he dwelt 20 days (at least) before the return thereof; whereupon if he appear not, the Lands, &c. shall be sold and disposed as aforesaid.

XXV. The Heirs Lands shall not be sold during his Minority, but at any time within 8 years after his full age they shall be sold as aforesaid.

XXVI. If the Accomprant or Debtor had a *Quietus est* in his life-time, that shall discharge the Heir of the Debt.

XXVII. Stat. 7 Jac. 1. 5. No Debt shall be assigned to the King, &c. by any Debtor or Accomprant, other than such Debts as before grow due originally to the Kings Debtor or Accomprant *bona fide*.

XXVIII. All Grants and Assignments of Debts to the King, contrary to the true intent of this Act, shall be void.

Decies tantum.

* I. Stat. 38 E. 3. 12. If a Juror take any thing of either party

to give his Verdict, and be Attainted thereof by Process contained in the Article of Jurors of the 34 E. 2. 8. (*which see in Jurors*) he shall pay ten times so much as he hath taken, to be divided betwixt the King and the Prosecutor: and all Embracers that procure such Inquest shall incur the like punishment.

II. If the Juror or Embracer have not whereof to make Gree, he shall suffer a years Imprisonment.

III. But no Justice or other Officer shall inquire of this Offence *ex Officio*.

Declaration.

I. Stat. 36 E. 3. 15. By the ancient Terms and Forms of Plead-ers no man shall be prejudiced, so that the matter of the Action be fully shewed in the Declaration and in the Writ.

Deeds and Writings.

I. Stat. 1 M. Parl. 1. Sess. 2. cap. 4. All Statutes, Recognisances and Writings made by or to any person since the 6th of July last, and before August, under the Name of any other than the Queen, shall be good.

II. This Act shall not extend to make good any Letters Patents, Commission, Grants or other Writings made by the Lady *Jane Dudley* since the said 6th of July last.

Demurrers.

I. Stat. 27 Eliz. 5. After Demurrer joyned and entred, the Judges shall proceed and give Judgment according to the right of the cause and matter in Law, without regard to any defect in the Proceeding, except such onely as the party shall express together with his Demurrer: after which time no Judgment shall be reversed by Writ of Error for any other defect than such as he shall there mention; and if there happen to be any other, the Judges may amend them.

II. This Act shall not extend to the proceeding in an Appeal of Felony or Murther, upon an Indictment, Presentment, or Penal Statute.

Dilapidations.

I. Stat. 13 Eliz. 10. If any Ecclesiastical persons, who are bound to repair the Buildings whereof they are seised in right of their Place or Function, suffer them to fall into decay for want of repair, and make fraudulent Gifts of their personal Estate, with purpose to hinder their Successors from recovering Dilapidations against their Executors or Administrators; in such case the Successors shall have like remedy in the Ecclesiastical Court against the Grantee of such

such personal Estate, as he might have had against the Executor or Administrator of the Predecessor.

II. Stat. 14 *Edw.* 11. All Moneys recovered for Dilapidations shall within two years be employed upon the Buildings for which they were paid, in pain to forfeit to the Queen, &c. double as much as shall not be so employed.

Disceit.

* I. *West.* 1. 29. 3 *E.* 1. If any person do act or consent to any thing in disceit of the Court or Party, and thereof be Attainted, he shall suffer a year and a days Imprisonment at least; and if he be a Pleader, he shall be also expelled the Court; and if they shall deserve greater punishment, it shall be at the Kings pleasure.

II. Officers, Criers of Fee, and Marshals of Justices in *Eyre*, shall not take Money otherwise than they ought to do, in pain to pay the treble thereof to the Complainants.

III. Stat. 2 *E.* 3. 17. A Writ of Deceit shall be maintainable as well in case of Garnishment touching a Plea of Land, as in case of Summons in Plea of Land.

Discontinuance of Right of Estate.

I. Stat. 11 *H.* 7. 20. If a Woman that hath an Estate in Bond for life, or in Tail jointly with her Husband, or onely to her self, or to her use, in any Lands, &c. of the Inheritance or Purchase of her Husband, or given to the Husband and Wife by the Husbonds Ancestors, or any seised to the use of the Husband or his Ancestors, sole, or with an after-taken Husband, discontinue, or suffer a recovery by covin, it shall be void; and he to whom the Land ought to belong after the death of the said Woman, may enter (as if the Woman were dead) without discontinuance or recovery.

II. Provided, that the Woman may enter after the Husbonds death; but if the Woman were sole, the recovery or discontinuance barreth her for ever.

III. This Act extends not to any recovery or discontinuance with the Heir next inheritable to the Woman, or by his consent in Record Enrolled.

Discontinuance of Process.

I. Stat. 11 *H.* 6. 6. No Suit before Justices of Peace shall be discontinued by a new Commission of Peace.

II. Stat. 1 *E.* 6. 7. The death of the King shall not discontinue any Suit betwixt party and party; neither shall the variance between the Original and Judicial Process in respect of the Kings Name be material as concerning any default to be alledged therefore.

III. Assises of Novel disseisin, Mortdancestor, *Juris utrum*, or

Dispensations, Continuance.

shall not be discontinued by reason of death, new Commission, Associations, or the not coming of the same Justices, or any of them.

IV. Preferment of the Demandant or Plaintiff to be Duke, Archbishop, Marquess, Earl, Vicount, Baron, Bishop, Knight, Justice of the one Bench or the other, or Serjeant at Law, shall not make the Suit abatable.

V. Preferment of a Justice of Assise, Gaol-delivery, or Peace, or of any other Commissioner, to the Dignities aforesaid, or to be Sheriff, shall not lessen his Power. *But note that, to be Sheriff, is altered by 1 M. Parl. 1. 8. which see in Sheriffs.*

VI. New Justices of Gaol-delivery may give Judgment of a Prisoner found guilty of Treason or Felony, though he were reprieved by other Justices.

VII. No Process or Suit before Justices of Assise, Gaol-delivery, Oyer and Terminer, or Peace, or other of the Kings Commissioners, shall be discontinued by a new Commission, or by the alterations of any of their Names.

VIII. Stat. 12 Car. 2. cap. 3. No Pleas, Writs, Plaints, Processes, &c. Pleaded, returned or having day in the Court at *westminster*, at any the four first Returns of *Easter Term* 1660, or other day remain, shall be discontinued by not keeping the said Returns: but shall be hereby continued and adjourned to the first Return of the said term.

IX. No Judicial Proceedings commenced before the 3th of May 1660, in the Stile or Teste of *Custod. Lib. Angl. &c.* or *Oliver Lord Protector, &c.* or *Richard Lord Protector, &c.* shall be discontinued by the Kings reassumption of the Government: nor shall the same be in any case of Error.

Dispensations.

Stat. 28 H. 8. 16. All Bulls, Breves, Faculties and Dispensations from the Bishop or See of *Rome* to any of the Kings Subjects, or any of the Kings Dominions, shall be void, and shall not be used, under pain of a *Premunire*.

I. Former lawful Marriages are confirmed.

II. A Confirmation of all Archbishops and Bishops, and their Priories, and of other Ecclesiastical Persons and Orders by Authority of this Act, and not by any Forrein Power.

III. The Effect and Contents of all Bulls, Breves, and other Faculties purchased of the See of *Rome*, which are allowable, shall be confirmed under the Great Seal.

Distresses.

Stat. De Distractione Scaccarii, 51 H. 3. The Owner of Immoveable Cattel may give them Food without disturbance.

II. A Distress taken for the Kings Debt, shall not be sold within 15 days; and upon shewing of a Tally, and giving Surety for Appearance in the Exchequer upon the next Accompt, the Distress shall cease: the Sheriff shall also Attach the Party that received the Debt, to be there also at the same time.

III. Neither Draught-Cattel nor Sheep shall be Distrained (except for *Damage feasant*) so long as other Goods may be found to satisfy the Debt: Distresses shall be reasonable: The Sheriff shall answer all Debts received; and where the Sheriff chargeth himself the Debtor shall be acquitted.

IV. *Marlbr.* 1. 52 H. 3. All persons (high and low) shall receive Justice in the Kings Court.

V. None shall take any Distress of his own authority without Award of our Court, in pain (upon Conviction thereof) to be punished by Fine, according to the Trespass; and the party grieved shall be also recompensed his loss.

VI. *Marlbr.* 2. 52 H. 3. None shall distrain any to come to Court that is not of his Fee, or upon whom he hath no Jurisdiction; neither shall Distresses be taken out of the Fee or Place where he hath no Jurisdiction: in pain that the Offender shall be punished as before.

VII. *Marlbr.* 3. 52 H. 3. If any will not suffer Distresses to be delivered by the Kings Officers, or Summons, Attachments, or Executions of Judgments given in the Kings Court, to be done, he shall be punished as aforesaid.

VIII. If a Lord Distrain his Tenant for a thing which he is not bound to cause to Distrain, and yet it is afterwards found not to be due; in such case, if the Lord suffer the Distress to be delivered, he shall be Fined, but only Amerced: nevertheless the Tenant shall recover his Damages against him.

IX. *Marlbr.* 4. 52 H. 3. None shall drive a Distress out of the County wherein it was taken, in pain to make Fine, as before. And if a Lord presume so to do against his Tenant, he shall be grievously Amerced.

X. None shall take an unreasonable Distress, in pain to be grievously Amerced.

XI. *Marlbr.* 15. 52 H. 3. It shall be lawful to none (except the King, and his Officers having special Authority) to take Distress out of his Fee, or in the Kings High-way, or in the common Street.

XII. *West.* 1. 16. 3 E. 1. None shall drive a Distress out of the County, or Distrain wrongfully, or out of his Fee, in pain to be punished as by the Statute of *Marlbr.* is provided, or more grievously if the Trespass so require.

XIII. *West.* 17. 3 E. 1. If Beasts be Impounded in a Castle or Fortrefs, and (after convenient notice to the Impounder, &c.) suffered to be Replevied by the Sheriff, or some other of the Kings Bailiffs, the King will command that Castle or Fortrefs to be demolished: and (after the first demand of the Sheriff or Bailiff) the

shall recover double Damages against the Lord, or Impounder; or, if the Impounder be not able, then against the Lord only.

XIV. In this case, if the Bailiff of the Franchise refuse to do it, then shall the Sheriff do it himself upon the aforesaid pains.

XV. Also deliverance shall be made by Attachment of the Plaintiff made without Writ, and upon the same pain.

XVI. West. 2. 36. 13 E. 1. None shall procure any to Distrain another to make him appear at the County Court, or any other inferior Court, on purpose to vex him, and put him to charge and trouble, in pain to make Fine to the King, and to pay to the party grieved treble Damages.

XVII. West. 2. 37. 13 E. 1. No Distresses shall be taken but by Bailiffs known and sworn, in pain to restore Damages to the party grieved, and to be grievously punished by the King.

XVIII. Brit. Cleri, 9. 9 E. 2. Distresses shall not be taken in the High-way, nor in the ancient Fees of the Church.

XIX. Stat. 1. 2 P. M. 12. No Distress of Cattel shall be driven out of the Hundred where it is taken, except to a Pound overt within the same Shire, nor above three miles distant from the Place where it was so taken: neither shall a Distress be Impounded in several Places, whereby the Owner may be constrained to sue several Replevins for the delivery thereof: in pain to forfeit to the party grieved for every Offence committed against this Act, 5 l. and treble Damages.

XX. None shall take above 4 d. for the Poundage of one Distress, and, where less is usually taken, to take less, in pain to forfeit to the party grieved 5 l. besides what is taken above.

XXI. The Sheriff shall at his first County-day, or within two weeks after he receives the Patent, depute, and proclaim in the Town four Deputies to make Replevins, not dwelling above ten miles distant from one another, in pain to forfeit for every month such Deputy or Deputies, 5 l. to be divided betwixt the Sheriff and the Prosecutor.

Order: See Title **Havens and Rivers**, num. XIV.

Brit. super Chart. 7. 28 E. 1. The Constable of Dover Castle shall not hold Plea of any foreign County within the Castle-Gates, nor concern the keeping of the Castle: neither shall he Distress the Inhabitants of the Five Ports to Plead elsewhere or otherwise than as they ought, according to the Form of their Charter, confirmed by the Great Charter.

DOWER.

Stat. 1. 20 H. 3. A Woman deforced of her Dower or dower in a Writ of Dower shall recover Damages, viz. the value

due of her Dower from her Husbands death, to the day of
very of her Dower, and the Deforcer shall be Amerced.

II. *Test. 2. 48. 3 E. 1.* In a Writ of Dower (*unde m.*)
the Writ shall not abate by the Exception of the Tenant,
hath received her Dower of another before the Writ purchas-
less he can shew that she received part of her Dower of him
in the same Town, before the Writ purchased.

III. *Test. 2. 4. 13 E. 1.* The Wife shall be Endowable
where Land was recovered against her Husband by default,
covin, so that albeit the Land was lost by the Husbands
yet that shall be no good Allegation for the Tenant, but
then proceed and shew his Right, otherwise the Wife shall recover.

IV. When Tenant in Dower, in Frank-marriage, by the
tesse, for Life or in Tail, lose their Land by default, and the
is compelled to shew his Right, they may vouch the Reversioner
they have Warranty; and then the Plea shall pass betwixt the
nant and the Warrantor, according to the tenour of the Writ
which the Tenant recovered by default: and so from many A-
they shall resort to one Judgment, *viz.* that the Demandant
recover that Demand, and the Tenant shall go quit.

V. Here, if the Action of such a Tenant which is compelled
shew his Right, be moved by a Writ of Right, albeit the
Assise or Bartel cannot be joynd by words accustomed, yet
in that case be joynd by words convenient.

VI. If the Wife be wrongfully Endowed by the Guardian
the minority of the Heir, he (at full age) shall be righted: yet
the Wife retain her just Dower, if she make her Title good.

VII. By this Statute, in place of a Writ of Right, a *Quia*
forceat is given to Tenant in Dower, in Free-Marriage, by the
tesse, for Life, and in Tail, upon losing by default.

VIII. *Stat. 1 E. 6. 12.* The Wife shall be Endowed, if
Husband were Attainted, Convicted, or Outlawed for Treason
Felony, saving the Right of others. *But note that this Clause is*
for Treason by 5 E. 6. 12. which see in Treason.

Drapery.

* I. *Stat. 11 E. 3. 3.* No Cloths made beyond Sea shall
brought into the Kings Dominions, in pain to forfeit the same
to be farther punished at the Kings will.

* II. *Stat. 11 E. 3. 5.* Cloth-workers of strange Land
come into the Kings Dominions, shall have the Kings Privilege
dwell where they please, and have convenient Franchises
unto them.

III. *Stat. Of Cloths, 25 E. 3. Stat. 4.* All Cloaths
shall be measured by the Kings Auslager or his Depuies.

IV. Every Cloth of Ray shall be 28 yards long, and 6
broad, and is to be measured by the List: also the length

and Cloth shall be 20 yards, and the breadth of quarters and
and such Cloths are to be measured by the Back. But the
for the measure is altered by 27 E. 3. Stat. 4. Cloth shall not be forfeit for
of measure, but the Aulnager shall measure them, and fix a
thereunto, expressing what each Cloth contains: and he
shall take for his Fee of the Seller one Halspenny for every Cloth
which is of Assise, and a Farthing for an half-Cloth: but he shall
take nothing for lesser Cloths, neither shall he meddle with Cloths
which are not to be sold: and the Buyer shall pay according to the
quantity of the Cloth.

VI. A Subsidy granted to the King of every Cloth, viz: a Cloth
grained) of Assise 4 d. the half-Cloth 2 d. Scarlet 3 d. and 3 d.
grained, 5 d. and 2 d. ob.

VII. Every Cloth passing half a Cloth by three yards, shall pay
subsidy for a whole Cloth.

VIII. No Subsidy shall be paid for an half-Cloth, nor for Cloth
made for a Mans own use, or Sealed by the Aulnager for Subsidy
before.

IX. Cloths put to sale before they be Sealed, shall be forfeited
to the King.

X. Stat. 50 E. 3. 7. Woollen Cloths shall not be Transported
abroad Sea, or pay Subsidy before they be Fulled.

XI. Stat. 50 E. 3. 8. Cloths called *Friseware* made of Irish
wool, shall pay no Subsidy or Aulnage.

XII. Stat. 3. R. 2. 2. The Aulnager shall not Seal a pieced
cloth, in pain that the Owner shall forfeit the Cloth, and the Aul-
nager his Office.

XIII. If he Seal a Cloth which is not of Assise, he shall forfeit
the value of the Cloth and his Office, and besides suffer Imprison-
ment, and be Ransomed at the Kings will.

XIV. Stat. 7 R. 2. 9. A Confirmation of all Statutes made a-
gainst deceit in Cloths to be sold, and against Aulnagers and Col-
lors of the Subsidy of Cloths.

XV. He that findeth defects in any Cloths contrary to former
statutes, shall have the value of the third part of such Cloths, which
whereof shall be answered to the King by the Aulnager, toge-
ther with the rest of the Cloths forfeited.

XVI. Stat. 13 R. 2. 10. Cogware and Kendal Cloth shall not be
made to the Statute of Assise of Cloth, but shall be made of such
length and breadth as formerly, so it be made also of such course
as formerly.

XVII. Stat. 13 R. 2. 11. No plain Cloths tacked or folded,
in the Counties of Somerset, Dorset, Bristol, and Gloucester, shall
be put to sale before they be opened, in pain to forfeit them.

XVIII. The Workers, Weavers and Fullers, shall put their Seals
upon every Cloth, upon a certain pain to be limited by the Justices of

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* XIX. Stat. 17 R. 2. 2. No Cloth shall be sold before Measured and Sealed by the Aulnager, upon the pains contained in the Statutes thereof made.

XX. No deceits shall be used in Kerseys, in pain to forfeit the same.

XXI. Stat. 4 H. 4. 24. The Aulnage may be let to Farm for improvement according to the discretion of the Lord-Treasurer and Barons of the Exchequer, notwithstanding the Statute of 17 R. 2. which see in Officers.

XXII. Stat. 9 H. 4. 2. No Cloth called Kendal, whereof a dozen passeth not 6 s. 8 d. shall be Sealed, neither shall any Aulnage be paid for the same.

* XXIII. Stat. 11 H. 4. 6. None shall tack or pleight any Cloths before the Aulnager hath set his Seal unto them, in pain to forfeit the same.

* XXIV. If the Aulnager be attainted to do contrary to the Statute, he shall forfeit to the King for the first Offence, 10 l. and for the second, 20 l. and for the third Offence, his Body shall be arrested, and all his Goods and Chattels at the Kings will. And the Prosecutor shall have a fourth part of the said Forfeitures, and 20 l. saving to the Lords and other their Franchises.

* XXV. Stat. 11 H. 6. 9. This word Cloth in the said Statutes of 7 H. 4. 10. and 11 H. 4. 6. shall be understood of Broad Cloth and Broad dozens, and not of Streets.

XXVI. Every man may make and sell all Streets containing length 14 yards, and in breadth one yard, unwatered, or 14 yards watered, paying to the King the due Aulnage, Subsidy, Customs, and other Devoirs.

XXVII. If Streets want the aforesaid length and breadth, the Aulnager shall cut off the List thereof at one of the ends, to the end it may be afterwards sold as a Remnant, and not for a Cloth.

XXVIII. No such Cloths shall be put to sale until they be Measured, Searched and Sealed by the Aulnager, in pain to forfeit the same.

XXIX. The Aulnager that Sealeth any Streets wanting the length and breadth aforesaid, and cutteth not off the List, as aforesaid, shall forfeit to the King for every such piece of defective Cloth 6 s. 8 d.

* XXX. Stat. 4 E. 4. 1. Broad Cloth made fit for sale shall contain in length 24 yards, with a Mans inch to be added to the yard, and is to be measured by the Crest; and in breadth 7 quarters at least within the Lists: And if the Cloth be longer, the Buyer shall pay for it (over and besides) according to the same.

XXXI. Streets made fit for sale shall contain 12 yards and such inches in length, and one yard in breadth within the Lists.

XXXII. Kerseys made fit for sale shall contain 18 yards and such inches in length, and in breadth a yard and a nail, or (if longer) a yard within the Lists.

XXXIII. Every half-Cloth, Streat and Kersey shall keep his Measure in length and breadth according to the rate of the whole Cloth respectively.

XXXIV. None shall put into Cloth to be sold any Lambs-Wooll, Flocks or Cork, in pain to forfeit 20 s. for every Cloth or half-Cloth so mingled, to be divided betwixt the King and the Prosecutor.

XXXV. Provided, that Cloth may be made of Lambs-Wooll only, and Cork may be used in Dying upon woaded Wooll, and Cloth made onely of woaded Wooll, the said Wooll and Cloth being perfectly Boyled and Madded: Cork also may be put upon Cloth perfectly Boyled and Madded.

XXXVI. Every piece of Cloth shall be perfectly wrought throughout the whole Piece according to the same order of Workmanship.

XXXVII. If any difference in Weaving, Fulling, Knotting, or mending, or any Raw, Skaw, Cockle or Flag happen therein, a Seal or Lead shall be hanged on the lowest part of the Edge thereof, to the end the Buyer may take notice thereof.

XXXVIII. Cloths, Streats and Kerseys of a true length, breadth and making, shall be Sealed at the end thereof with a double Print or Lead.

XXXIX. Cloths, Streats and Kerseys, not containing the due length and breadth, or not perfectly made, and two parts thereof wrongly made, keeping their said length and breadth, every such piece shall be Sealed in form aforesaid.

XL. If a Cloth, Streat or Kersey be longer than an half-Cloth, and shorter than an whole one, and yet have the true breadth, and be perfectly wrought, it shall have a Seal differing from the other two aforesaid, and fixed to the end thereof.

XLI. A Cloth, Streat or Kersey, less than an half-Cloth, shall be sealed at the end thereof by a Seal differing from all the rest.

XLII. All the said Seals are to be ordained by the Lord-Treasurer for the time being, who hath power to make as many Keepers as he shall think necessary, so as one of them be Alien.

XLIII. These Keepers shall yearly render an account of the same of their Offices, without paying any Fees for the same, and shall also be rewarded by the Treasurer and Barons according to their labour and diligence.

XLIV. If any of the said Keepers be found faulty or corrupt in their Office, refuse to Seal, extort more than his due Fees, or refuse to give his Commission upon Sealing or Measuring any such Cloth, he shall forfeit 20 s. to be divided betwixt the King and the Prosecutor, and to be recovered in the Exchequer.

XLV. This Statute, and others heretofore made and in force, which concern the Premises, shall be inserted in every such Keeper or Auhagers Commission.

XLVI. The Clothier shall pay to his Work-folks their Wages in ready

ready Money, and not in Wares, as formerly, in pain to forfeit such Work-folks treble Damages; and shall deliver them according to due weight, in pain to forfeit 6 d. for every such fault.

XLVII. Every Carder, Spinner, Weaver, Fuller, Shearman or Dyer, shall duly perform their Duty in their Occupation, in pain to forfeit double Damages to the party grieved; and every Fulling, Rowing or Tazelling of Cloth, shall use Tazels and Cards, in pain to yield double Damages to the party grieved.

XLVIII. Every Justice of Peace, Constable of an Hundred, Steward of a Leet, out of Corporations, and in Corporations the Head-Officer or Officers, where no Master is, and every Master shall hear and determine such Complaints, as well concerning non-payment of the Labourers Wages as the Damages afore-mentioned for which said Damages they shall also have power to commit the Offender to Prison, until the party grieved be satisfied.

XLIX. The said Justice and Officers have power, at the instance of any other person, to enquire after and punish such Offenders inflicting 3 s. 4 d. upon them, to be paid to the King, or other Lord of the Liberty where such Offence is committed.

L. No Cloth made in any other Region (except in *Wales*, *Ireland* or taken at Sea without fraud) shall be brought into England or sold, in pain to forfeit the same.

LI. Stat. 7 E. 4. 2. The Inhabitants of the Hundreds of *Tavestock* and *Rouburgh* in *Devon*, may put Flocks into their Cloths notwithstanding the Statute of 6 E. 4. 1. *Vide supra*.

* LII. Stat. 7 E. 4. 3. No person, Denizen or Stranger, shall carry beyond Sea any Woollen Yarn or Cloth not Fulled, in pain to forfeit the value thereof, to be divided betwixt the King and the Prosecutor.

LIII. Stat. 7 E. 4. 5. Woollen Cloths, half-Cloths, Skirts and Kerseys, being perfect in Making and Measure, shall be Sealed with Wax at both ends; except in *London* and *Bristol*, which shall be Sealed with Lead.

LIV. The Lord-Treasurer hath power to Let to Farm the Scales and Aulnage of Cloths, and also the moiety of all Forfeitures of Cloths not duly Sealed, for which they shall be accountable to the Exchequer.

* LV. Stat. 1 R. 3. 4. Broad Cloth shall be fully Watered before it be put to sale: and every whole Cloth, and also half-Cloth being Watered ready for sale, shall contain in length 12 yards, each yard having a Mans inch added thereunto, to be measured by the Crest, and shall also contain in breadth two yards in the Lists.

LVI. Every half such Cloth shall contain in length 12 yards in length, and to be measured by the Crest, as afore said, and in breadth two yards within the Lists.

LVII. The half-Cloth shall not exceed 16 yards: in

the whole Cloth in three pieces and the half-Cloth in two pieces: and to lose for every whole Cloth 6 s. 8 d. and for every half-Cloth 3 s. 4 d. not fully Watered, or not keeping the said Measures.

LVIII. If a whole Cloth or half-Cloth exceed these Measures, the Buyer shall pay for the excess: Howbeit the half-Cloth must not pass 16 yards.

LIX. Streets shall contain in length 12 yards with inches, as aforesaid, and in breadth one yard within the Lists, in pain to have each of them cut in two pieces, and besides to forfeit for each of them 10 d.

LX. Kerseys shall contain in length 18 yards with inches, as aforesaid, and in breadth one yard and a nail at least, in pain to have them cut, as aforesaid, and to forfeit for each of them 3 s. 4 d.

LXI. The Lord-Treasurer shall appoint Seals for Cloth to be made, having the Kings Arms Printed on the one side, and the Arms, Sign or Token of the City, Borough or Town, or the Name of the Country where they are made, on the other side.

LXII. The Lord-Treasurer shall make none Aulnager, Sealer, or Keeper of the Seal, but him that is expert in Cloth-working, and worth 100 l. at least; and the Officer so deputed shall Seal no Cloth, such as is made within the Limits of his Deputation, in pain to forfeit to the King for every whole Cloth 5 Marks, for a half-Cloth 2 s. 4 d. for a Street 20 s. and for a Kersey 10 s.

LXIII. None shall set or draw in length or breadth any Cloth fully Watered, by Tentering or otherwise, in pain to forfeit the same.

LXIV. None shall set, cast or put upon Cloth any Flocks, Chalk, or other deceitful thing, in pain of 40 s. for every Cloth so used.

LXV. No Shear-man or other shall Shear or Cancel any Cloth fully Watered, upon the like pain of 40 s. for every Cloth.

LXVI. None shall convey any Cloth beyond Sea not fully Watered, and after it is so watered it shall not be set or drawn in length or breadth, in pain of 40 s. for every Cloth so conveyed.

LXVII. None shall retail Cloth before it be fully Watered, and after it is so Watered it shall not be set or drawn, as aforesaid, in pain to the Seller shall forfeit the said Cloth, or the value thereof.

LXVIII. None shall keep in his House any Tenter or other Engine whereby Cloth may be drawn in length or breadth, in pain of 10 l. but Tenters shall be set in open places, and used onely for the stretching of Cloth after it cometh from the Mill, and be not Rowen. And all Head-Officers shall take care that Cloth drawn upon Tenters shall not be unduly drawn in length or breadth.

LXIX. No Stranger shall buy any Wooll which shall pass through Straits of Marrocks, sorted, clacked or barked, nor any Wooll whereof any Locks or refuse shall be made, but such as is clipped and washed without deceit, and Merchantable, according to the Custom of the Countrey, without such sorting, clacking or refuse, in pain to forfeit such Wooll, and the double value thereof.

LXX. No Dyer shall Dye any Cloth with Orchel or Co- pain of 40 s. neither shall any put to sale any Cloth so Dyed in pain to forfeit the same. Howbeit Cork made within this Realm may be used in Dying upon Wooll-wards, so that the Wooll and Cloth be perfectly Boyled and Madded: also such *English* Cork may be put upon Cloth that is perfectly Boyled and Madded.

LXXI. Every Dyer shall Dye both the Cloth and the Lint one and the same colour, in pain to forfeit the same.

LXXII. None shall put to sale any Cloth deceitfully Dyed, in pain to forfeit the same, or the value thereof.

LXXIII. Faulty Cloth shall be brought to the chief Officer of the Place where it is seised, and shall be cut in three parts, whereof the Seisor shall have one, another shall be by him carried into the Exchequer, and the third the said Officer shall have for the use of the Commonalty.

LXXIV. All other Forfeitures of this Act shall be divided twixt the King and the Prosecutor.

LXXV. The Statute shall not extend to Cloth called Ray, joyned with Ray, Plonkers, Turkins, Celestrines, Packing Wares, Vesses, Cogware, Worstedes, Florenees, Bastards, Kendals, Sailing Ware, or Frize Ware; the said Cloths being perfectly made according to their nature and true making.

* **LXXVI.** Stat. 3 H. 7. 11. None shall Transport any Cloth or Lint before it is Barbed, Rowed, and Shorn, in pain to forfeit the value thereof, to be divided betwixt the King and the Prosecutor except Vesses, Rays, Sailing-Cloths, and others Told at the Custom under.

LXXVII. Stat. 3 H. 8. 7. The Stat. of 7 E. 4. 3. and 3 H. 7. 11. are Confirmed; onely Vesses, Rays, Sailing-Cloths and others exceeding four Marks the Cloth, may be Transported.

* **LXXVIII.** Stat. 5 H. 8. 2. None shall make white Square Cloth, but when they are raw ready to be Toked, and being 15 and half a quarter broad, and 15 yards long, and except the Seisor set his special Mark upon them, neither shall any use another's Mark, in pain to forfeit the Cloths otherwise made or marked, to be divided betwixt the King and the Seisor.

* **LXXIX.** Stat. 5 H. 8. 3. White Cloths at five Marks the Piece under, may be conveyed beyond the Sea Unbarbed, Unshorn, Unrowed.

LXXX. None shall convey beyond Sea any such Cloths as have five Marks the Piece Unbarbed, Unshorn, Unrowed, in pain to forfeit the value thereof, to be divided betwixt the King and the Prosecutor.

* **LXXXI.** Stat. 6 H. 8. 8. The Statute of 5 H. 8. 2. is perpetual: and none shall make white or russet Streets, (which are called raw) shall not be of length and breadth, and Marked, as the said Stat. of 5 H. 8. 2. is ordained, and shall not weigh less than the Piece at least, in pain to forfeit the same, to be divided betwixt the King and the Seisor.

* LXXXII. Stat. 6 H. 8. 9. The Wooll delivered by the Clothier for Breaking, Kembering, Carding or Spinning, shall be by full weight of *Avoir du pois*, not exceeding above one quarter for the waste in 12 pound of selmed Wooll; and the Breaker, Kember, Carder, and Spinner, shall re-deliver to the Clothier the same Wooll, or Woollen Yarn, by the same weight, (the waste thereof excepted) without concealing any part thereof, or putting any thing therein deceitfully, in pain to forfeit to the Lord of the Leet where the Work is done, for every such default 12 d., upon proof thereof before the Head-Officer there, calling to him fit persons to prove the same.

LXXXIII. The Weaver shall put all the Yarn delivered unto him into the Web, or restore it, without putting any thing deceitfully thereunto, in pain of 3 s. 4 d.

LXXXIV. None shall buy any coloured Wooll or Yarn of any Carder, Spinner or Weaver, but in open Market, in pain to forfeit the same.

LXXXV. The Walker and Fuller shall duly work every Web without Flocks or other deceit, and shall not row or work it on either side with Cards, in pain of 6 s. 8 d.

LXXXVI. None shall put to sale any Cloth which (being wet) shall shrink above one yard in length, and one quarter in breadth, for the more part thereof, or Narrows or Streets after that rate, in pain of 6 s. 8 d. and to abate the Buyer for such defect.

LXXXVII. None, after he hath bought Cloth, shall draw or strain it in length or breadth with Tenter, Wrinch, or otherwise, in pain of 5 l.

LXXXVIII. Provided that such Buyer (having for proof-sake fully wet Cloth) may draw and strain them for evening them only, so that he exceed not one yard of the length it had when it was fully wet.

LXXXIX. None shall put upon Cloths any Flocks or other deceit, in pain of 20 s.

XC. The Buyer and Seller of Cloths shall measure them by yard and inch of the Rule, and not otherwise, in pain of 5 l.

XCI. The Forfeitures aforesaid shall be divided betwixt the King and the Prosecutors.

XCII. This Act shall not extend to *Kendals*, *Carnel Whites*, *Towels* made in *Devon*, Cloths made in *Cornwall*, Cottons or Frize made in *Wales*, *Lancashire* or *Cheshire*.

XCIII. Stat. 14 & 15 H. 8. 11. The Stat. of 6 H. 8. 9. touching the shrinking of Cloths, shall not extend to Vesses or set Cloths, when they exceed not the value of 40 s. the Cloth.

* XCIV. Stat. 25 H. 8. 18. None shall make Cloth in *Worcester*, but only such as dwell in *Worcester*, *Evesham*, *Droitwich*, *Kilnminster*, and *Bromisgrave*, in pain to forfeit for every Cloth elsewhere made, 40 s.

* XCV. This Act shall not extend to Cloths made for any person's own use, their Children or Servants.

* XCVI.

* **XCVI.** Stat. 27 H. 8. 12. Every Clothier shall cause Mark to be woven in his Cloths and Kerseys, and shall set a Seal Lead thereunto, shewing the true length thereof, as they will be being wet; and in case of defect, the Clothier shall forfeit the double value thereof to the Buyer.

XCVII. If the Clothier put any Clothes to sale before they be Sealed by the Aulnager, or order them not as aforesaid, they shall be forfeited, and divided betwixt the King and the Prosecutor.

XCVIII. Broad Cloth shall hold seven quarters in breadth betwixt the Lists, being proved by the Water, and Kerseys one in pair of 3 s. 4 d. for that, and 20 d. for this, to be divided betwixt the King and the Prosecutor.

XCIX. This Statute shall not extend to Cloths not exceeding seven Nobles the Cloth, nor to *Tavestock*, Western Dozens, *Fine Kendals*, Cottons, nor course Cloths made for Linings.

C. The Aulnager shall not Seal Cloths until they be Sealed with the aforesaid Seal of Content, in pain to lose his Office; neither shall the Buyer afterward alter them by stretching, unless he reduce them to the right Content again, in pain to forfeit the double value thereof, to be divided as aforesaid.

* **CI.** Stat. 27 H. 8. 12. Every white Woollen Cloth sold for export, and under, and every coloured Cloth sold for 2 l. and under, shall be conveyed beyond Sea Unbarbed, Unhorn and Unrowed; none shall convey such Cloths beyond Sea above these Prices, in pain to forfeit the value thereof, to be divided betwixt the King and the Prosecutor.

* **CII.** Stat. 33 H. 8. 3. *Welsh* Cloths called Whites, *Ruffs* and Kennets, brought into Fairs or Markets to be sold, shall be sold in Pleights or Cuttles, and not hard rolled together, in pain to forfeit the same, to be divided betwixt the King and the Prosecutor.

* **CIII.** Stat. 33 H. 8. 19. None shall Ship any white Woollen Cloth above the value of 4 l. nor coloured above 3 l. Unrowed, Unbarbed, or Unhorn, with an intent to convey it beyond Sea, in pain to forfeit the same, or the value thereof, to be divided betwixt the King and the Prosecutor.

* **CIV.** Stat. 3 & 4 E. 6. 2. Every Clothier shall set his Seal Lead to his Cloth, declaring just the length thereof, to be tried by the Water.

CV. None shall stretch any Cloth above a yard and a half in length, and a quarter in breadth, in pain of 40 s.

CVI. None upon the said pain shall put to sale any Cloth when (being wet) shall shrink above a yard and a quarter in length, and a quarter in breadth: neither shall Streets or Kerseys be stretched above a yard in length, and half a quarter in breadth, in pain of 40 s.

CVII. None shall put to sale any Cloth, Narrow, Street or Kersey, the Pieces whereof (being wet) shall shrink more than after the same Rates, in pain of 20 s.

CVIII. None shall Dye any Cloth before it be perfectly Boyed Green.

Coloured, or Madder'd upon the Wood, and well Shot with good
Lark, or Orchel, in pain of 20 s.

CX. None shall Dye any Wooll to be converted into Cloth,
Hats or Caps, before it be perfectly Woaled, Boyled and Madder-
ed, in pain to forfeit for every such Cloth, or so much Wooll as
makes a Cloth, 40 s. neither shall any Dye with Brasil to make a
false colour in Cloth, Wooll, Hats or Caps, in pain of 20 s.

CXI. None shall put upon Cloth any Flocks, Chalk, Flout, Starch,
or other deceivable thing, in pain of 40 s.

CXII. None shall use any Iron Cards or Pickards in Rowing of
Cloth, in pain to forfeit the same, and 20 s. besides.

CXIII. None shall sell any Cloth by other Measure than Yard
and Inch, according to the Stat. of 6 H. 8. 9. in pain to forfeit for
every yard otherwise measured, 6 s. 8. d.

CXIV. None shall put to sale within this Realm any Cloth pre-
pared, in pain to forfeit the same, or the value thereof.

CXV. Justices of Peace and Head-Officers shall in their several
precincts appoint and swear Officers for the due observing of this
Statute concerning the well ordering of Cloth, who shall have
power to make Search accordingly.

CXVI. The Forfeitures for defaults in Cloth (mentioned in this
Statute) shall be recovered in any Court of Record, and shall be
divided betwixt the King and the Overseer that discovers them:
in case the Overseers will not sue for them within half a year,
any other within another half year take the Suit, and
shall have the Overseers moiety.

CXVII. No Overseer duly chosen, shall refuse to execute that
duty, in pain of 40 s. and shall remain in the custody of the She-
riff until he pay it, or give Security for it; and this shall be divi-
ded betwixt the King and the Justices of Peace or Head-Officers
who chose him.

CXVIII. The Overseers, or two of them at least, shall once every
year make due Search for the true executing of this Statute, in
pain of 10 l. to be divided betwixt the King and the Prosecutor.

CXIX. None shall interrupt the Overseers in the due executi-
on of their Office, in pain of 20 l. to be divided betwixt the King
and the Overseers so interrupted.

CXX. None shall take advantage of the Forfeitures given by
this Statute, unless the Suit for them be commenced within one year af-
ter they accrue.

CXXI. Every Clothier shall cause the Letter E crowned to be
marked in every Cloth, in pain of 20 s. to be divided betwixt the
King and the Prosecutor.

CXXII. Stat. 5 & 6 E. 6. Every Broad Cloth made in Kent,
or in the County of Kent, or of like making with them, (being through wet)
shall contain in length betwixt 28 and 30 yards usual measure, and
in breadth 7 quarters throughout within the Lisse; and being well
combed, milled and dried, shall weigh 90 pounds at least.

CXXII. Every white Cloth made in *Worcester, Coventry*, where of like making, (being wet) shall contain in length betwixt 23 and 30 yards with inches of the Standard, and 7 quarters thereof out in breadth betwixt the Lists, and, being ordered as aforesaid, shall weigh 84 pounds at least: and every coloured Cloth shall contain like length and breadth, and shall weigh 80 pounds at least.

CXXIII. White short *Worcesters* shall contain in length (being wet) betwixt 23 and 25 yards with inches as aforesaid, and breadth as aforesaid, and shall weigh 60 pounds at least.

CXXIV. Coloured long Cloths made in *Suffolk, Norfolk*, and elsewhere of like sort, shall contain in length (being wet) betwixt 20 and 30 yards and inches, and in breadth 7 quarters, and shall weigh 80 pounds at least: and coloured short Cloths there and elsewhere, shall contain in length betwixt 23 and 25 yards, and the breadth aforesaid, and shall weigh 64 pounds at least: also coloured or white Handy-warps there and elsewhere shall be of the breadth, and every yard thereof shall weigh 3 pounds.

CXXV. All Whites and Reds in *Wiltshire, Gloucestershire*, and *Somerset*, and elsewhere of like making, (being wet) shall contain in length betwixt 26 and 28 yards, and 7 quarters in breadth, and weigh (being white) 64 pounds; but coloured 60 pounds at least: also Plunkets, Azures, Blews, and other coloured Cloths there and elsewhere, shall contain in length betwixt 25 and 28 yards, and be of the same breadth, and shall weigh 88 pounds.

CXXVI. Ordinary Kerseys shall contain in length betwixt 18 and 18 yards, and shall weigh 20 pounds; and sorting Kerseys shall be of equal length, but shall weigh 13 pounds.

CXXVII. The length of *Devonshire* Kerseys called *Dorens*, shall be betwixt 12 and 13 yards, and their weight 14 pounds.

CXXVIII. The length of Broad Cloths called *Taunton*, *Wiltshire*, and the like, shall be betwixt 12 and 13 yards, and breadth 7 quarters: and every narrow Cloth made there or elsewhere of like sort, shall contain in length betwixt 24 and 25 yards, and in breadth one yard, and shall weigh 34 pounds.

CXXIX. Check Kerseys and Streets shall contain in length betwixt 17 and 18 yards, and in breadth one yard, and shall weigh 24 pounds.

CXXX. Frizes in *Wales*, and elsewhere of like making, when sale and wet, shall contain 36 yards at most in length, 3 quarters in breadth, and shall weigh 48 pounds; and every half Piece shall be at the same rate.

CXXXI. Northern Cloths shall be betwixt 23 and 25 yards long, and 7 yards broad, and shall weigh 6 pounds.

CXXXII. Dozens shall be betwixt 12 and 13 yards long, and 3 quarters broad, and shall weigh 33 pounds.

CXXXIII. Pennystones and Forest-whites shall be betwixt 28 and 13 yards long, and 6 quarters and a half broad, and shall weigh 28 pounds.

CXXXIV. *Manchester, Lancashire, and cheshire* Cottons shall be 21 yards long, and 3 quarters broad, and shall weigh 30 pounds.

CXXXV. *Manchester* Rugs or Frizes shall be 36 yards long, 3 quarters broad, shall not be stretched above a nail, and shall weigh 48 pounds.

CXXXVI. If any put to sale any of the Broad Cloths abovesaid not of the due length, breadth or weight abovesaid, they shall forfeit for every Cloth defective or exceeding in length or breadth 40 s. and for every pound it wants (not exceeding four) 2 s. the pound; and if it want more than four, they shall forfeit 40 s.

CXXXVII. Provided, if Broad Cloth exceed the due length by reason of the fineness or stuffy making thereof, the Maker shall not incur any Penalty thereby.

CXXXVIII. If any put to sale any other Cloths above specified not of due length, breadth and weight as abovesaid, they shall forfeit 20 s.

CXXXIX. None shall put any Flocks or Yarn-made of Lambs-Wool into any of the abovesaid Cloths, in pain to forfeit the same, or the value thereof.

CXL. None shall put any Cloth or Kersey to sale before they have paid the Aulnager his due Fee, in pain of 20 s.

CXLI. No Cloth shall be Transported before the Seals of the Aulnager and Owner be put thereon, in pain to forfeit the same, or the value thereof.

CXLII. No Retailer of Cloth shall put it to Seal before he have tried it by Water, Measure, and Weight, and shall present the defect thereof to an Head-Officer, or two next Justices of Peace, in pain to forfeit the double value thereof: And the Cloth found defective, shall be divided into three parts; whereof the King shall have one, the Prosecutor another, and the Head-Officer or two Justices the third.

CXLIII. The Clothier shall repay to the Buyer of faulty Cloth his Money again, or otherwise satisfy him for the same, in pain to forfeit to the party grieved the double value thereof.

CXLIV. None shall stretch Cloth above a yard in length, and an half quarter in breadth, in pain of 5 l.

CXLV. None shall use with his Tenner any Wrinch, Rope, Ring, or other Engine, to strain or stretch Cloth, in pain of 20 l.

CXLVI. Two or more Searchers of Cloth shall be appointed in every Place where Cloth is made, who being sworn, shall have power to enter into all Houses where Cloth is made or wrought, to search whether the Cloths are well Dressed and Pressed with the cold Press: and the moiety of all Forfeitures thereupon accruing shall the King have, and the other shall be given to the use of the Baronality or Town where the Offence or Default is committed made.

CXLVII. The Party with whom such defective Cloth is found, shall recover Damages against the Party that was the cause thereof, in Action of Debt, &c.

CXLVIII.

CXLVIII. The Head-Officer of every Town shall prepare a Seal of Lead, having the Arms and Name of the Town Printed thereon, which Seal the Searchers shall fix to every Cloth well dressed, and shall have for every Seal so fixed 2 d.

CXLIX. If the Searchers find any faulty coloured Cloth, they shall at each end fix another Seal of Lead, having the Letter F Printed thereupon, and shall also in the List (just against the fault) set another Mark of an inch compass, to the end the Buyer may readily discover where the fault is.

CL. If the Searchers set the Town-Seal to Cloth not sufficiently Dressed, the Corporation shall forfeit the value thereof.

CLI. If the Searchers set the Town-Seal to faulty Cloth, or do not set the Letter F above expressed thereunto, the Corporation shall forfeit 5 l.

CLII. No Retailer of Cloth shall put it to sale, unless the Town-Seal be fixed thereunto; and he shall keep it fixed until the end thereof until it be all sold; in pain to forfeit the value of the Cloth.

CLIII. The Corporation that appoints not such Searchers shall forfeit 10 l. and the Searcher that refuseth to execute the Duty shall forfeit 5 l. to be divided betwixt the King and the Corporation, and shall be in Ward until he pay, or give Security for it.

CLIV. None shall Press any Cloth with the hot Press, nor in any other deceivable manner, but onely with the cold Press, in pain to forfeit the same, or the value thereof.

CLV. If any (but persons authorized by this Act) counterfeit, to, or take away from any Cloths, any of the Seals appointed by this Act, he shall forfeit for the first Offence (being thereof convicted by 12 Men, two Witnesses, or his own Confession) 10 l. and for the second shall stand upon the Pillory, and forfeit all his Goods and Chattels to the King.

CLVI. Every Article in any Statute heretofore made concerning the Making, Dying, Pressing, Searching, or Sealing any of the Cloths above in this Act mentioned, and being repugnant or contrary to any Article of this Statute, shall be void.

CLVII. The Forfeitures abovesaid (not otherwise appointed) shall be divided betwixt the King and the Prosecutor.

CLVIII. Provided it shall not be lawful to Boil Wool (or converted into Cloth) with Galls, Rinds, Bark, or Saw-dust, in pain to forfeit the same, or the value thereof, to be recovered as aforesaid.

CLIX. This Act shall not extend to *Devonshire Cloths* or *Tavestocks*.

CLX. Stat. 5 & 6. E. 6. 8. No person shall weave or put to weaving or making, broad Woollen Cloth, unless he has been seven years Apprentice to that Art.

CLXI. Stat. 1 M. Pavl. 2. 7. Any person may make Cloth, and put them to Weaving, Walking, Fulling, Dying

Shewing, without any impediment, so that the Cloth be duly made according to the Statute of 3 & 6 E. 6. 6. notwithstanding the Stat. of 3 & 6 E. 6. 8. or any other Statute of Cloth-making made to the contrary.

CLXII. Stat. 2 & 3 P. M. 11. No Clothier in any Corporation or Market-Town shall keep in his House above one Loom, or let any Loom, or House and Loom together, to make Profit thereby, in pain to forfeit for every week he so keepeth or letteth them, 20 s.

CLXIII. No Weaver in the said Places shall keep above two Looms in his House to make Profit thereof, in pain to forfeit for every week he keeps more, 20 s.

CLXIV. A Weaver (being no Cloth-maker) shall not keep any Tucking-Mill, nor use the Art of a Tucker, Fuller or Dyer, in pain of 20 s. for every week.

CLXV. No Tucker or Fuller shall have in his House any Loom to make Profit thereof, in pain of 20 s. for every week.

CLXVI. None shall make any broad white Woollen Cloths but in a Corporation, Market-Town, or other Place where they have been made 10 years before the making of this Act, in pain of 1 l. for every Cloth elsewhere made.

CLXVII. No Weaver in a Corporation or Market-Town, shall have above two Apprentices at one time, in pain of 10 l.

CLXVIII. None shall be a Weaver but he who hath been 7 years an Apprentice in that Art, in pain of 20 l.

CLXIX. This Act shall not extend to the Counties of York, Cumberland, Northumberland, and Westmorland.

CLXX. Stat. 2 & 3 P. M. 12. No Cloths called Bridgewater, Taunton and Chard Cloths, and made in the County of Somerset, shall be sold there before they be Viewed, Searched and sealed in Bridgewater, Taunton or Chard, according to the Statute of 3 & 6 E. 6. 6. in pain to forfeit the Cloth so sold, or the value thereof, to be divided betwixt the King and the Prosecutor.

CLXXI. Stat. 4 & 5 P. M. 5. White worcesters, and all others of like making, being well Scoured, Thickened, Milled, and fully Dried, shall weigh 75 pounds.

CLXXII. Broad Cloths made in the Counties of Wilts, Gloucester, and Somerset, and all others of like making, ordered as aforesaid, shall weigh 61 pounds.

CLXXIII. Broad Cloths made in Kent, Sussex, and Reading, and others of like making, ordered as aforesaid, shall weigh 86 pounds.

CLXXIV. Course short Cloths made in Suffolk, Norfolk, Kent, Essex, and others of like sort, shall contain at the Water 6 fathoms and an half in breadth.

CLXXV. Handy-warps, ordered as aforesaid, shall contain the breadth ordained by the Statute of 3 & 6 E. 6. 6. and shall weigh 120 pounds and an half.

CLXXVI.

CLXXVI. None shall add Handy-warp-Lists to their Cloth (except in *Worcester*, and when the Warp thereof is Spun upon Rock or Distaff) in pain to forfeit the Cloth, or the value thereof.

CLXXVII. None in the West-Riding of *Yorkshire* shall use any Broad Cloths, Pewks, Tawnies, Violets or Greens, except the Wooll thereof, being first converted into Yarn, be first Dyed the colour of the value of 2 *d.* the pound, in pain to forfeit such Cloth, or the value thereof.

CLXXVIII. Ordinary Kerseys shall contain in length (in the Water) betwixt 16 and 17 yards, (yard and inch) and being ordered as aforesaid, shall weigh 19 pounds the Piece. And some Kerseys (so ordered) shall weigh 22 pounds.

CLXXIX. *Devonshire* Kerseys (ordered as aforesaid) shall weigh after the rate of one pound the yard.

CLXXX. *Wiltshire* Cottons (in the Water) shall contain 3 quarters of a yard in breadth, and shall weigh one pound and a half the Good, and being well Cottoned, shall weigh one pound at least.

CLXXXI. No Retailer of Cottons shall Dress it himself, or by any other, save onely by a proper Dresser thereof, in pain to forfeit for every Piece otherwise Dressed, 6 *s.* 8 *d.*

CLXXXII. *Manchester*, *Lancashire*, and *Cheshire* Cottons, *Manchester* Ruggs and Frizes, may be divided into two half Pieces, and shall contain in length and breadth as by the said Statute of *E. 6.* is ordained for the whole Piece.

CLXXXIII. If any Cloth or Kersey exceed the length prescribed by this or the said Statute of *E. 6.* then every yard so exceeding shall weigh according to the rate of the due length thereof, in pain to forfeit for every yard not weighing after that rate, 5 *s.* And if any such Cloth or Kersey lack any of the due length, the Maker shall forfeit for every pound wanting more than 4 pounds, 5 *s.* and for every pound under 4 pounds, 2 *s.*

CLXXXIV. If any Cloth or Kersey prove defective or wrought, the Maker thereof shall fix to each end thereof a Seal of Lead Engraven with this word *Faulty*, in pain to forfeit such Cloth and Kersey, or the value thereof.

CLXXXV. If any by himself or any other, counterfeit, forge, or take away any Seal appointed by this or the said Statute of *E. 6.* he shall not incur such Penalties as by the said Statute of *E. 6.* are limited.

CLXXXVI. The Borough or Corporation-Seal shall be fixed to the Cloths, &c. being well made there; which Cloth so Sealed, shall not be afterwards Searched by the Searcher of any other Corporation or Borough.

CLXXXVII. Cloths and Kerseys made out of Corporations shall be Sealed in the Town-Corporate.

CLXXXVIII. If any Searcher or Sealer set the Corporation Seal to any Cloth, &c. defective in length, weight or breadth appointed by this, or that other Statute of *E. 6.* the Corporation shall forfeit the value thereof

CLXXII

CXXXIX. The Searchers and Sealers may in the day-time enter into any House to search and try Cloth, &c. and may seize Cloths made of other colours than by the said Statute of E. 6. is appointed; (Friers gray, Crane-colour, Purple, and old Medley colours, used to be made 20 years last past, only excepted.)

CXC. None shall deny or withstand the Searcher or Sealer, in pain of 10 s.

CXCI. No Searcher or Sealer shall in any Fair or Market search any Cloth, &c. which hath a Corporation Seal affixed thereto.

CXCII. Every Clause in the said Statute of E. 6. not repugnant to this Act, is Confirmed.

CXCIII. None shall incur any Penalty or Forfeiture of any Offence limited by that Act, which is mitigated, or otherwise appointed by this.

CXCIV. Every Clothier shall cause the Letter *M* crowned to be wrought in each Cloth, in pain to forfeit 20 s. for every Cloth so marked.

CXCV. None shall Weave or Make, or put to Weaving or Making any Cloth or Kersey, unless he hath been an Apprentice to, or served that Art seven years before, in pain to forfeit it or the value thereof.

CXCVI. The Penalties and Forfeitures of this and the said Act of E. 6. (not otherwise appointed) shall be divided betwixt the King and the Seiser, (where seisure may be made), or otherwise betwixt the King and the Prosecutor.

CXCVII. Stat. 8 Eliz. 6. For every nine Cloths unwrought, transported by Licence, one shall be carried over well wrought, in pain to forfeit for every nine Cloths otherwise Transported 10 l. The tenth Cloth shall be none of the Cloths Licensed.

CXCVIII. No Kentish or Suffolk Cloth shall be Transported unwrought by any Licence, in pain to forfeit for every Cloth so Transported 40 s. and no Licence shall extend to any such Cloth.

CXCIX. The said Forfeitures shall be divided betwixt the King and the Master and Wardens of Clothworkers, for the relief of the poor of that Company.

CC. Stat. 8 Eliz. 7. He that uses the Trade of buying of Woollen, Cottons or Plains, shall not exercise the Art of Frizing or Fulling, in pain to forfeit for every Piece so used, 6 s. 8 d.

CCI. Those that use the Trade of buying Welsh Cloth or Linen, shall pay to their Workmen ready Money, in pain to lose their Freedom.

CCII. Stat. 8 Eliz. 12. None shall put to sale in Lancashire, or carry out of that County any Cloth, Cotton, Frize or Rugg, before the Maker shall have fixed his Seal thereto, on the one side the Queens: whereof the Makers shall have on the other side his Mark, and on the other side the length of the Piece, in weaves; and the Queens shall have a Portcullis crowned on the one side, and the weight of the Piece on the other side: in pain to

forfeit such Cloth, &c. to be divided betwixt the Queen and the Prosecutor.

CCIII. In *Manchester, Rochdale, Bolton, Blackmore* and *Bury* Aulnager may appoint Deputies, and neither the Aulnager nor Deputy shall Seal any Cloth, &c. before they be weighed, in pain to forfeit 20 s. for every Pack, to be divided betwixt the Queen and the Prosecutor.

CCIV. The Aulnagers Fee for weighing of a Packet of Cloth, &c. is 3 d. and for any quantity less than a Pack, a penny the Piece.

CCV. Every Cotton well wrought and fully dried, shall weigh 21 pounds, and shall contain in length 21 or 20 Goads, and breadth 3 quarters, or within 1 nail thereof: also Frizes or Ruggs being well thicked and dried, shall weigh 44 pounds the Piece, and shall contain in length betwixt 35 and 37 yards, and breadth 3 quarters, or within one nail thereof, and shall be strained upon Tenters above one nail in breadth: and if the Cloths exceed the said length, every goad or yard so exceeding shall weigh according to the same rate, in pain to forfeit for every goad or yard not so weighing, 12 d.

CCVI. If any the said Cottons, Frizes or Ruggs want of the said weights, the Party selling them shall forfeit for every pound below under three pounds, 12 d. and for every pound above three pounds, 5 s.

CCVII. All Acts heretofore made for the Sealing and Weighing of Cottons, Frizes and Ruggs, shall be void.

CCVIII. The Charters and Liberties of Towns-corporate in *Lancashire* are saved.

CCIX. Stat. 22 *Eliz.* 9. Two Justices of Peace for every County, or the Head-Officer of a Corporation, shall command the Dyer of wood (which some deceitfully use for Dying of Cloth) to be cut and openly burnt; and the Dyer that useth it shall forfeit the value of the Cloth, Wooll, or other thing Dyed therewith, to be divided betwixt the Queen and the Prosecutor. *Vid. Customs Act 1700. infr. Sect. 313.*

CCX. Nothing of the nature of Cloth shall be Madder Black, except it be first Grounded with Woad onely, or with Woad and Ahele, *alias* blue Inds, unless the Madder be put in with Mack or Galls: and who so doth otherwise, shall forfeit the value of the thing so Dyed, to be divided betwixt the Queen and the Prosecutor; and the Offender is to be Imprisoned until he pay the fine.

CCXI. Provided, it shall be lawful to Dye any manner of Cloth black, Stomack black, *alias* Plain black, wherein no Madder be used.

CCXII. The Dyer shall fix a Seal of Lead to the Cloth, &c. when he Dyeth, with the Letter M, to shew that it is Madder Woaded, in pain to forfeit for every yard thereof 3 s 4 d. and the Seller thereof shall make it known that it is not Woaded, or

the double value thereof, to be divided betwixt the Queen and the Prosecutor.

CCXIII. Stat. 27 Eliz. 17. None shall be hereafter charged by the Stat. of 3 & 6 E. 6. 6. nor of 4 & 5 P. M. for want of the breadth of 7 quarters in Cloths made in the Countie of Gloucester, Wilts, Warrs, or Oxon, or others of like sort, so that they contain breadth (being fully wet) 6 quarters and an half within the Lists, wrought and Lified: but in case they want that breadth, the Master thereof shall be chargeable with the Penalties imposed by the Statutes for want of 7 quarters breadth.

CCXIV. If narrow-listed Whites do not weigh 61 pounds, and wide-listed Whites 83 pounds, being well dressed and dried, the Master shall incur double such Penalties for every pound wanting, by the said Stat. of 4 & 5 P. M. are ordained.

CCXV. Stat. 27 Eliz. 18. The Branch of the Statute of 3 & 6 E. 6. 6, which prohibiteth the putting of Hair, Flocks, or made of Lambs-Wool, into any Cloth or Frize, having regard to the said Cloths called plain white Straits, and pinned white Straits, shall be repealed.

CCXVI. The Inhabitants of Devon and Cornwall may weave and make the said Cloths, and use therein Hair, Flocks, and Lambs-Wool, and keep three Looms in their Houses, and make such Cloths of such length, breadth and weight, as the Merchant shall require, notwithstanding the said Stat. of E. 6.

CCXVII. Provided, that no Piece of such Cloth shall weigh more 12 pounds, nor be above 14 yards long, or one yard broad, in any one Piece, or the value thereof, to be divided betwixt the Queen and the Prosecutor.

CCXVIII. Stat. 35 Eliz. 9. None shall be hereafter charged by the Statute of 3 & 6 E. 6. 6. for want of the breadth of 7 quarters in Wood Phinkers, Azures, Blues, and other coloured Cloths made in the Countie of Wilts, Gloucester, and Somerset, or elsewhere, (being fully wet) they hold 5 quarters and an half within the Lists wrought and Lified: but in case they want that breadth, the Master thereof shall incur such Penalties as by the said Statute are appointed for want of 7 quarters breadth.

CCXIX. Howbeit, if the said Cloths well dressed and dried do not weigh 68 pounds, the Clothiers offending therein, shall incur the Penalties of the Statute of 6 E. 6. for want of weight.

CCXX. Stat. 35 Eliz. 10. Every Piece of Devonshire Kersey (as it comes from the Weavers Loom) shall weigh in weight 16 pounds and upwards; and every Piece of Rugg Kersey made of Wooll (as it comes from the Sheeps Loom, and from the Weavers Loom) shall weigh 17 pounds at least, and contain in length betwixt 15 and 16 yards (yard and inch full.)

CCXXI. The Weaver that weaves or makes any of the said Cloths

Cloths of less weight or length, shall forfeit for every pound or quarter of a yard wanting, 12 d. And they lawfully woven throughout of well and like sorted Yarn, the List.

CCXXII. The Weaver shall weave in his Mark at one the Kersey of some coloured Yarn, and also at each end Purse shall not deceitfully mingle his Yarn, in pain of 10 s.

CCXXIII. None shall put to sale any such raw Kersies, they be viewed, weighed, and marked, in pain of 10 s. for Cloth to be divided betwixt the King and the Head-Officer of the Offence is committed.

CCXXIV. Searchers and Sealers of such Kersies shall be appointed by the Head-Officer of the Place where they are who shall be sworn, and have power to enter into any House (at day-time) to make search accordingly, and shall have a Fee for every Kersey they mark.

CCXXV. If the Searchers and Sealers be not yearly appointed or do neglect their Duties, or offend in their Office, the Head-Officer shall forfeit for every such Offence 20 s. and for every Mark there are not two or one Searcher at least, 40 s.

CCXXVI. No Kersey shall be sold or dressed before it is viewed and marked, in pain to forfeit the same.

CCXXVII. None shall diminish the length of any such Kersey in pain of 20 s.

CCXXVIII. The Forfeitures aforesaid (not before taken) shall be divided betwixt the King and the Prosecutor.

CCXXIX. Stat. 39 Eliz. 11. A Justice of Peace for any County, or Head-Officer of a Corporation (being also a Justice of Peace there) have power to call before them, and examine the servants of Persons suspected to use Logwood in Dying, and if they shall find cause to bind over to the next Quarter-Session the Evidence and Party offending, and upon the Delinquency to be bound, shall commit him to prison till he find Security, and shall also certify in at the same Session the Examination taken, where if the Party offending be Convicted, he shall be put to the Pillory, and forfeit 20 l. to be divided betwixt the King and the Prosecutor. *Vid. Customs 68. & infr. 213.*

* CCXXX. Stat. 39 Eliz. 14. No Cards for Wool brought into this Realm or Wales, to be sold, in pain to forfeit the value thereof, to be divided betwixt the Queen and the Prosecutor.

CCXXXI. Stat. 39 Eliz. 20. None shall stretch or draw Cloth made on the North-side of Trent, in pain of 5 l. for the Engine so that purpose, in pain of 20 l.

CCXXXII. Northern Cloths shall be made of such length, and breadth, as by former Statutes are provided, in pain in the same Statutes contained.

CCXXXIII. A Seal of Lead shall be set to every Northern Cloth, expressing the length and weight thereof, in pain to forfeit the same. And here the Offenders shall also forfeit for every yard that it wants of due length, 4 s. and for every pound that it wants of due weight, 2 s.

CCXXXIV. Overseers shall be appointed and sworn in the County by two Justices of Peace, and in Corporations by the Head-Officers, calling to him the next Justice of Peace, to make search once a month at least for defects of Northern Cloths: and if they shall find any stretched, strained, or sealed with any false Seal, they shall make Presentment thereof at the next Quarter-Sessions. And he that deceives, or withholds any faulty Cloths, shall for the first Offence forfeit 10 l. for the second 20 l. and for the third (being thereof lawfully Convicted by Verdict of two Witnesses) shall suffer the Pillory.

CCXXXV. The Overseer that refuseth to appear, or to undertake that Office, shall forfeit 5 l. to be divided betwixt the Queen and the Officers that made him Overseer.

CCXXXVI. The Overseers shall fix a Seal of Lead to such Cloths, expressing the length and breadth of the same, together with the word *Searched*, which shall exempt them to be searched elsewhere.

CCXXXVII. If any (save the Overseers) set or take away a Seal to or from the said Cloths without Warrant, they shall forfeit the same to the Queen for the first Offence 10 l. and for the second (being thereof lawfully Convicted by Verdict of two Witnesses) 20 l. and shall suffer the Pillory.

CCXXXVIII. Justices of Peace, Head-Constables and Officers, shall search and seize Ropes, Winches, and other Engines used in the unlawful stretching of Northern Cloths, and none shall hinder them, upon the Forfeitures above mentioned for resisting the Overseers.

CCXXXIX. The Justice that shall be found negligent in the execution of this Act, shall forfeit 5 l. And this and all other Forfeitures of this Act, shall be divided into three parts, whereof the Queen is to have one, the Informer another, and the Poor of the Place where the Offence is committed, the third. *See the Clause following.*

CCXL. Justices of Peace have power to hear and determine all Offences in their Sessions, and Justices of Assize to convict the Justices of Peace that are negligent, upon proof of two Witnesses. And upon neglect of Justice by the said Justices of Peace, and Justices of Assize, the above-said Penalties are recoverable in any other Court of Justice. And in that case the one half thereof shall go to the Justice, and the other to the Informer.

CCCLI. The Owner of Northern Cloths brought up to be sold in London, shall cause them to be brought to *Blackwellhall* to be dried without wetting, in pain of 40 s. But here the Searcher shall

shall not make his Search at such times when it may be a Hindrance to the Owners Market, in pain of $5\text{ }l$. These Penalties are likewise given to the Queen and the Informers.

*CCXLII. Stat. *Eliz.* 43. 10. None shall put any Hair, Flax, Thrum-yarn made of Lambs-wooll, or any other deceivable stuff in Broad-cloth, Kersey, Frize, Dozen, Penystone, Cotton, Tawton Cloth, *Bridgewater* or *Dunster* Cotton (which *Dunster* Cotton shall be taken to be of the like weight, length and breadth as *Tawton* or *Bridgewater* Cloth, in pain to forfeit such Cloth, Kersey, &c.) none shall buy or procure any such deceivable thing for that purpose in pain to forfeit the same.

CCXLIII. None shall use any Engine to stretch the said Cloths or Ruggs unwrought in length or breadth, in pain of $20\text{ }l$ to be divided between the Queen and the Prosecutor.

CCXLIV. None shall set any wrought Woollen Cloth upon a Tenter or other Engine, to stretch the same, otherwise than is allowed, viz. the whole Broad-cloth one yard in length, and half quarter in breadth; and the Kersey, Cotton, &c. one half yard in length, and one nail in breadth; in pain to forfeit such Cloth, Kersey, &c.

CCXLV. Woollen Cloths shall not exceed the lengths appointed by former Statutes, in pain to forfeit the same: *viz.* *Tawton*, *Bridgewater* Cloths, and others of like making, may not exceed 30 pounds; and *Suffolk*, *Norfolk*, *Essex*, and *Northern* Cloths shall be abated 4 pounds in the whole Cloth, and 2 pounds in half-Cloth.

CCXLVI. If any whole Cloth want above 3 pounds weight limited by the said Statutes, or a half-Cloth half a pound for every pound so wanting he shall forfeit $10\text{ }s$. for 2 pounds for three pounds $40\text{ }s$. and so to forfeit a double Penalty for every pound so wanting, unless he will yield the said Cloth, and the same shall be forfeited.

CCXLVII. The Statute of 39 *Eliz.* 20. which gives Justice of Assize, Justices of Peace and Head-Officers for the County Cloths, shall extend also to Cloths made in other Counties.

CCXLVIII. Cloth sealed by the Overseers (authorized by Stat. 20) shall not be Searched or Tried again by any other Officers.

CCXLIX. The several Branches of 5 & 6 E. 6. 6. 4 & 5 27 *Eliz.* 17. & 35 *Eliz.* 9. which concern over-lengths of Cloths and the Clause of the said Stat. of 4 & 5 P. M. 3. which concerns Certificates of faulty Cloths, are Repealed.

CCL. No Merchant shall take advantage of a Clothiers defect in Cloth.

CCLI. All Acts heretofore made contrariant to this Act are Repealed.

CCLII. Such as observe this Act, albeit they offend against 39 *Eliz.* 20. shall not incur any Penalty inflicted by 39 *Eliz.* 20.

CCLIII. The moiety of all Forfeitures (not otherwise before pointed) the Overseers or Finders shall have, and the Poor the other moiety.

CCLIV. If any unsworn Woollen Cloth (after it is Transported) shall be found stretched contrary to this Act, the Merchant may return it at his own Costs, and shall recover Damages against the Maker or Seller thereof.

CCLV. Stat. 1 Jac. 25. None shall incur any Penalty for want of length, breadth or weight of *walsh* Cottons, under the price of 6 *s.* the yard, and 2 *s.* the good, so as they be not mixed with *de-
mand* Stuff, nor for any other above that Price, except they be *de-
mand* as aforesaid, or shall shrink above the rate of half a yard in 2 yards, or weigh less than 14 ounces the yard, or hold not full corners of a yard broad.

CCLVI. Stat. 3 Jac. 16. Ordinary Kerseys shall not exceed 4 yards in length, and (being fully dressed and dried) shall weigh 8 pounds and an half: And sorting Kerseys shall have the same length, and shall weigh 32 pounds and an half.

CCLVII. If any Piece of Kersey of the said several kinds exceed the length, or want of those weights respectively, the Maker shall forfeit for every yard so exceeding, 5 *s.* and for every pound so wanting, 2 *s.* to be divided betwixt the King and the Prosecutor.

CCLVIII. The Custom and Subsidy of Kerseys 24 yards long, shall be as much as was paid before for a Piece of 18 yards, and a third part of such a Piece.

CCLIX. Stat. 3 Jac. 17. None shall incur any Penalty for want of a Content Seal to *walsh* Cottons, neither shall any (save the Maker) search or try them, in pain of 5 *l.* to be divided betwixt the King and the Party grieved.

CCLX. Stat. 4 Jac. 2. Every coloured Broad cloth made in Kent, *Wiltshire*, *Reading*, and elsewhere of like making, (being through the Standard-measure, and 6 quarters and an half throughout the Length; and being well ordered and dried, shall weigh 80 pounds.

CCLXI. The length of white *worcesters* (being wet) shall be between 30 and 33 yards, their breadth 7 quarters, and their weight 80 pounds.

CCLXII. The length of Plunkets, Azures, Blues, and long *wool*, (being wet) shall be between 29 and 32 yards, their breadth 6 quarters and an half, and their weight 80 pounds.

CCLXIII. Sorting Cloths shall contain in length betwixt 23 and 25 yards, be 6 quarters broad, and weigh 64 pounds.

CCLXIV. Fine short *Suffolks* shall contain in length between 23 and 25 yards, be 6 quarters and an half broad, and weigh 60 pounds.

CCLXV. Handy-warps shall contain in length between 29 and 32 yards, be 7 quarters broad, and weigh 76 pounds.

CCLXVI. Broad Plunkets, and other coloured Cloths made in the Counties of *Wilt*s and *Somer*set, or elsewhere of like making, shall contain in length betwixt 26 and 28 yards long, 6 quarters and an half broad, and weigh 68 pounds.

CCLXVII. Short coloured Cloths made in *Yorkshire*, or of like making, shall be between 23 and 25 yards long, 6 and an half broad, and weigh 66 pounds: and every half-Dozen shall be made according to the same rate.

CCLXVIII. Broad-listed Whites and Reds shall contain between 26 and 28 yards in length, be 6 quarters and an half broad, weigh 64 pounds.

CCLXIX. Narrow-listed Whites and Reds shall contain length betwixt 26 and 28 yards, be 6 quarters and an half broad, and (being white) shall weigh 61 pounds, but red, 60 pounds.

CCLXX. Fine Cloths, with plain Cloths, shall contain between 29 and 32 yards, be 6 quarters and a half broad, and weigh 72 pounds.

CCLXXI. Cloths having Stop-lists, shall contain in length between 30 and 33 yards, be 7 quarters broad, and weigh 78 pounds.

CCLXXII. *Tauntons, Bridgewaters, Dunsters, &c.* shall contain in length between 12 and 13 yards, be 7 quarters broad, and weigh 30 pounds; and every narrow Cloth of like making shall be between 24 and 25 yards long, one yard broad, and weigh 30 pounds: the half-Cloth of that kind shall contain the same breadth, length and weight ratably. And as touching such broad and narrow Cloths as are made in *Yorkshire* into Whites and Reds, the broad cloths there shall keep the same measures and weight; but the narrow is to contain in length between 17 and 18 yards, in weight proportionable as aforesaid.

CCLXXIII. *Devonshire* Kerseys or Dozens shall contain between 12 and 13 yards, and shall weigh 13 pounds: and Kerseys, Streets and plain Grays, shall contain in length between 17 and 18 yards, be one yard broad, and weigh 24 pounds.

CCLXXIV. Ordinary Penystones and Forest Whites, shall contain in length between 12 and 13 yards, be 5 quarters and an half broad, and weigh 21 pounds; and sorting Penystones shall contain between 13 and 14 yards long, 6 quarters and an half broad, and weigh 35 pounds.

CCLXXV. All *Cogware, Kendals* and *Carptmeals* shall be made to please the Buyer, and shall not be Searched, Sealed, or under any other Penalty than such as was imposed thereon before 30th June 1700, they shrink not above one yard in 20.

CCLXXVI. Kerseys called Washers and Wash-whites (half-thick) shall contain in length between 17 and 18 yards (quarter thick) between 18 and 19, and shall weigh 17 pounds.

CCLXXVII. None shall raise or row Woollen Cloth with Grease, or the like, or use the same but upon the edge of the Cloth only, in pain of 13 s. 4 d. and it shall be wrought all alike and cut out, upon the like pain; and the Wooll thereof taken away by the Sheers upon the same pain.

CCLXXVIII. None shall blow, spout or bedew Woollen Cloth near the Lills thereof, with Water or otherwise, in pain of 13 s. 4 d. and if it be done to increase the weight, the Penalty is 40 s.

CCLXXIX. Abatement shall be made for the Dying, Dressing, Shearing and Rowing of Cloth, viz. for short Cloths 4 pounds, and long Cloths 5 pounds, and according to that rate.

CCLXXX. Flannel, Wadnals, Coverlets and Blankets may be made as formerly they have been, notwithstanding this Statute.

CCLXXXI. None shall exceed the lengths aforesaid, in pain to forfeit for every yard and inch so exceeding, 10 s.

CCLXXXII. If any sell Woollen Cloth wanting the weight aforesaid, he shall forfeit for every 2 pounds so wanting, 10 s.

CCLXXXIII. If any Cloth want the just breadth, the Seller thereof shall forfeit for such want through the whole Piece, 20 s. the half Piece 10 s. and for any less part, 5 s.

CCLXXXIV. If a Cloth be of less length than the Seal thereof doth purport, the Seller shall forfeit to the Buyer 6 s. 8 d. for every yard and inch that so wants, besides the value of so much as so falls short.

CCLXXXV. Every Branch in any former Statute whereby any other length, breadth or weight of the said Cloths, or any other Penalty concerning the same, or any Offence (intended by this Act to be reformed) is limited, or whereby any Penalty for the Offence (in this Act mentioned) is given to any other Person than in and by this Statute is limited, shall be Repealed.

CCLXXXVI. Cloth Sealed by the Overseers appointed by the Statute of 19 Eliz. 20. and 43 Eliz. 10. shall not be Searched, Tried, or Watered again, but onely by the Buyer thereof.

CCLXXXVII. The Penalties for over-length or want of weight imposed by the Overseers, shall be divided betwixt the King and them; and if such Default shall be found by the Buyer, and not found and certified by the Overseers, then shall such Penalties be divided betwixt the King and such Buyer.

CCLXXXVIII. If any broad Woollen Cloth be longer or shorter than 24 yards and inches, the Duties for the same shall be proportionable, according to the length.

CCLXXXIX. Every Clothier may make any kind of Woollen Cloth in what Place he pleaseth.

CXC. The Kings Duties are reserved, as also the Aunagers Duties and Fees; so as Cloth once lawfully Searched and Sealed, shall not be Searched and Sealed again.

CXCI. Stat. 7 Jac. 7. The Sorter, Carder, Kember, Spinner or Weaver of Wooll or Yarn, that shall be found (by his own Confession, or the Testimony of one Witness) to imbezzle or detain any part thereof from the true Owner, shall incur Whipping and the Fines to be inflicted upon them (in the Countrey) by any two Justices of Peace, and (in a Corporation) by the Head-Officer and another sworn with him. And here also the Receiver thereof shall incur the

the like punishment, as also those in *Essex* which use a *hale* than two yards about.

CCXCII. But such Imbeziler may redeem his punishment giving such satisfaction to the Owner as such Justice or Head Officer shall think fit.

CCXCIII. Stat. 7 Jac. 16. Certain course Cloths made in North shall not be Searched or Sealed, nor any Custom or *nage* paid for them.

CCXCIV. Stat. 21 Jac. 18. The Statute of 4 Jac. 2. is continued, save what is thereof altered, repealed, discontinued, or enlarged, by this.

* CCXCV. None shall put any Flocks, Thrums, Hair, or deceitful Stuff, into broad Woollen Cloth, in pain of 5 *l.* 10 *s.* distributed to the Poor where such deceitful Cloth is made.

CCXCVI. The Searchers or Overseers of Cloth may enter and make search in any House or other place, to find deceitful Cloth.

CCXCVII. Any two Justices of Peace may call before them a person suspected for making deceitful Cloth; and if, upon Confession of the Party, or Testimony of two Witnesses, they shall find any guilty thereof, and make Certificate accordingly under their Hands and Seals to the Churchwardens and Overseers of the Parish where the Offence is committed, those Officers shall Levy the Penalties forfeited by Distress and Sale of Goods, and in want of Distress the Offender shall suffer Imprisonment.

CCXCVIII. The Officer being Sued, shall be allowed to take the General Issue, &c. and shall recover double Costs.

CCXCIX. If Cloth be defective, the Searchers of the Parish where it is made, shall certify it by their Seal, having the *Fault* stamped upon it: And the Searchers that Search Cloth ready Searched, shall forfeit 5 *l.* to the Party grieved.

CCC. All Woollen Cloths shall be Searched and Sealed before they be sold.

CCCI. No Tenter for Broad-cloths made in *Yorkshire* shall be in any further place or liberty under bar than half a quarter of a mile, and the Overseers in those Parts shall upon the Penalties of the Recognizances make due Search for deceitful Tenters, and if any found, shall deface them.

CCCII. He that offends the second time in having such a Tenter shall forfeit 4 *s.* to the Poor.

CCCIII. Every Overseer of Cloth shall (upon the like Penalties as his Recognizance) set his Name upon the Seal of Cloth, and Cloth otherwise Sealed shall not be allowed as sufficiently Sealed.

CCCIV. Pressing of Cloths between hot Planks, or by any other Fire, or other deceitful means, shall be punished by like Forfeiture as Pressing with the hot Press is punishable by any former Statute.

CCCV. A third part of all Penalties limited by this and former Statutes for want of length, breadth and weight, the Searchers

And certain such Defaults shall have; and the rest shall be delivered to the Churchwardens and Overseers for the use of the Poor, for which they shall be accountable, as by the Statute of 43 E. 2. is provided.

CCCVI. Stat. 12 Car. 2. Cap. 22. The Governours of the Dutch Hall in Colchester, and the Dutch People there shall use and govern their Trade with like Immunities, and in as ample manner as at any time heretofore.

CCCVII. If any Weave in the said Town or Liberties thereof any Bay, and carry it not to the *Raw-hall* within two days after to be Searched, or if any Fuller or Thicker receive such Bay before it is stamped and marked there, they shall forfeit for the first Offence to be Levied by Distress and Sale of Goods, to be accounted for to the Mayor and Commonalty for the use of the Poor of that Town, if such Bay be made by an *English* Master-maker; if by a Dutch-man, then to be disposed by the Governours of the Dutch Hall, for the Poor of that Congregation; and for the second Offence to be Levied and disposed *ut supra*; and for the third Offence shall not be permitted to Work any more in the said Town and Liberties.

CCCVIII. Bays bought, or carried out of the Town before they are Searched, or offered to be carried out, shall be confiscated, the moiety to him that will seize, the other moiety to the Poor of the Parish where seized.

CCCIX. Persons that counterfeit any Seals used by the said Corporation, or not being the Officer thereto appointed, and in the name by them appointed, affix any Seals to Colchester Bays, shall for the first Offence pay to the use of the Governours of the said Hall, and for the second Offence shall stand in the Pillory an hour, and for the third suffer as a Felon. And Bays carrying or carried out of Colchester without the Mark of the Maker, shall be forfeited.

CCX. The Governours of the said Hall or their Officers, may at any day-time search Carriages, Wagons, Packs, and with a Constable search Houses, Shops, &c. where they are informed such defective Bays are, and bring them to the said Hall; which Bays shall be confiscated, and disposed of as the Forfeitures to be paid by the Weavers and Fullers.

CCXI. The Governours of the said Hall may make By-Laws; and such By-Law in diminution of the Kings Prerogative, or the Charter, shall be executed till approved by the Lord-Chancellor, Lord-Treasurer, or Chief Justice of either Bench, or any three of them, or the Justices of Assize in their Circuit in *Essex*, on pain to forfeit

CCXII. Stat. 13 & 14 Car. 2. Cap. 4. For Regulating the Exportation of Norwich Stuffs in *Norwich* and *Norfolk*. *Vid. Tit. Wor-*

CCXIII. Stat. 13 & 14 Car. 2. cap. 11. The Statutes of 23 El. cap.

cap. 9. & 39 *Elix.* cap. 11. Repealed as to all Clauses relating to the Prohibition or use of Logwood.

CCCXIV. Stat. 13 & 14 *Car. 2.* cap. 32. An Act for the better Regulating of the Manufacture of Broad Woollen Cloth within the West Riding of the County of York. This Act shall continue to the end of the first Session of the next Parliament, and no longer Expired.

CCCXV. Stat. 22 & 23 *Car. 2.* cap. 8. An Act to Regulate the making of Kidderminster Stuffs. See the Stat. at large.

Durels.

I. Stat. 1 *R. 2.* 13. All Obligations forced by Durels upon ecclesiastical Judges and others, whereby they are restrained from doing for Tythes and other Duties in the Ecclesiastical Court, shall be void.

II. Such as falsely procure such Judges or others to be indicted shall incur such punishment as by *stat. 2. 12.* is ordained for false appeals: which see in Appeals.

Durham.

I. Stat. 7 *E. 6.* Not Printed. By this Act the Bishoprick of Durham was dissolved, and the King was to have all the Lands and rediments thereof: and another Act was also made the same year cap. 10. whereby the Town of Gateside was united to the Town of Newcastle: but both these Acts are Repealed by 1 *M. 2.* And by this Act the Bishoprick of Durham is revived and erected, whereby are annexed unto the County Palatine all the Jurisdictions both Ecclesiastical and Temporal, as also the Town of Gateside, all Lands and Hereditaments before belonging to the said Bishoprick: and divers other Provisions are therein contained touching those matters. For which see the Statute at large.

II. Stat. 5 *Elix.* 27. Fines Levied before the Justices of the County Palatine of Durham (or one of them) of Lands lying in the same County shall be good.

III. Stat. 31 *Elix.* 5. Writs upon Proclamations and Executions against any Person dwelling within the County Palatine of Durham shall be directed to the Bishop of Durham, &c. with divers other Provisions for that County Palatine: For which see the Statute at large.

IV. Stat. 25 *Car. 2.* cap. 9. The County Palatine of Durham may have two Knights, and the City of Durham two Citizens, to be chosen by the Kings Writ to the Bishop of Durham or his Temporal Chancellor of the said County, and returned by the Sheriff into the Chancery of England, upon the like manner as be ordained for the Sheriffs of other Counties.

Ecclesiastical Jurisdiction.

I. Stat. 19. **D**octors of the Civil Law (albeit they be Lay-men, and married or unmarried) may exercise Ecclesiastical Jurisdiction.

Egyptians.

I. Stat. 22 H. 6. 10. If any calling themselves *Egyptians* do come into this Realm, they shall forfeit all their Goods, and being commanded, shall depart the Realm within 15 days, upon pain of Imprisonment. But see here in the Statutes following a greater Penalty ordained.

II. Stat. 1 & 2 P. & M. 4. None shall Transport any lewd People, who call themselves *Egyptians*, into this Realm or *Wales*, in pain of 40 l. And it shall be Felony (without Clergy) for them to remain above a month in *England* or *Wales*; neither shall they be Tried per *medietatem Linguae*, but by the Inhabitants of the County or Place where they are taken.

III. None shall sue for any Licence or Passport for any *Egyptians* to stay in *England* or *Wales*, in pain of 40 l. and such Licence or Passport shall be void.

IV. The Forfeitures aforesaid shall be divided betwixt the King and Queens Majesties, and the Prosecutor.

V. This Act shall not extend to charge Persons not above the age of 13 years, nor as accessory to any Offence contained in this Statute.

VI. Stat. 5 Eliz. 20. Any Person whatsoever consorting with *Egyptians* by the space of a month, shall be adjudged a Felon without Clergy.

VII. This Act shall not include Children within 14 years of age: neither shall any Person born in *England* or *Wales*, be compellable to void the Land by the Statute of 1 & 2 P. & M. but onely to have their lewd course of life.

Election.

I. Stat. 1. cap. 5. 3 E. 1. None shall disturb any (by force of Arms, Malice or Menaces) to make free Election, in pain of great Imprisonment.

II. Artic. Cleri cap. 14. 9 E. 2. There shall be free Election for the Dignities of the Church.

III. Stat. 31 Eliz. 6. If any Person or Persons having Election or Voice in the Nomination or Choice of any Person to have any Office in any Church, Colledge, School, Hospital, Hall, or other Place, shall take any Reward directly or indirectly, or any Promise or Assurance thereof directly or indirectly, for such their Election

Election or Voice, that then such Place shall be void; and then such Person as hath power to dispose thereof, may dispose of the same, as if the Person before Elected or Appointed, were dead.

IV. If any Person of such Societies take any Reward, or Assurance thereof, directly or indirectly for resigning such Place, the Party giving it shall forfeit the double value thereof, and the Party taking it shall be incapable of such Place; and then also the Party to whom such Place appertains may dispose thereof as aforesaid.

V. At every Election this Statute, and the Statutes of the Society which concern Election, shall be read.

VI. The Forfeitures of this Statute shall be divided between the Queen and the Prosecutor.

VII. If any Person, for any Reward or Assurance thereof directly or indirectly taken, do Present or Collate any Person to any Benefice with Cure of Souls, Dignity, Prebend, or Living Ecclesiastical, or give or bestow the same for any corrupt Consideration, or such Presentation, Collation, Gift, &c. bestowing, and every Admission, Institution, Investiture and Induction thereupon, shall be void; and from thenceforth the Queen, her Heirs and Successors may Present or Collate thereunto, or give or bestow the same to one Turn only.

VIII. None shall give or take such Reward, or take or give such Assurance, in pain to forfeit the double value of one year's Profit of such Spiritual Promotion: and the Person taking such Presentation shall be disabled in Law to enjoy the same.

IX. If any Person for any such Reward or Assurance (lawful Fees excepted) Admit, Institute, Install, Induct, or Place any Person in any such Spiritual Promotion, the Party sending shall forfeit the double value of one year's Profit of such Promotion, and the Admission, Institution, &c. shall be void; and then the Patron or other Person unto whom the next Gift appertains, may Present or Collate thereunto.

X. Howbeit no Lapse shall accrue upon such violence, and six months after notice thereof given by the Ordinary to the Patron.

XI. If any Incumbent of any Benefice with Cure of Souls corruptly resign or exchange the same, or shall corruptly take resigning or exchanging thereof, directly or indirectly, any Sum whatsoever, both the Giver and Taker thereof shall lose the value of the Benefit so had, to be divided betwixt the Queen and the Prosecutor.

XII. Penalties inflicted by the Ecclesiastical Law are not taken away by this Statute.

XIII. If any Person shall directly or indirectly take any Reward or other Profit or Assurance of the same (lawful Fees only excepted) to make a Minister, or to give Licence to Preach, he shall forfeit 40*l*. and the Party so made Minister, or Licensed to Preach,

and if the Party so made Minister or Licensed, be Inducted, Invested or Installed into any Benefice within 7 years after, such Induction, &c. shall be void, and the Party having the Gift thereof may Present or Collate, as if he were dead.

XIV. The Forfeitures of this Act shall be divided betwixt the Queen and the Prosecutor.

English-men.

I. Stat. 14 & 15 H. 8. 4. All *English-men* sworn Subjects to any Forrein Prince shall pay such Impositions as Aliens do.

II. Their Names shall be certified into the Chancery from *Ireland, Zealand, Brabant and Flanders*, by the Governour of the Merchant-Adventurers there, and from other Parts by the Kings Embassadors residing in those Parts.

III. An *English-man* returning and dwelling again within this Realm, shall be restored to his Liberties.

England and Scotland.

I. Stat. 1 Jac. 2. An Authority is given to certain Commissioners of both Houses of Parliament (named in this Statute) to Treat with certain Commissioners of *Scotland* concerning the Settlement of an Union and Peace between the Kingdoms of *England* and *Scotland*.

II. Stat. 4 Jac. 1. Laws of Hostility, and the Dependencies thereof between the two Nations, are Repealed: but this Act in that Point is not to take effect until the like be acted in *Scotland*.

III. None shall be troubled for any wrong done before the death of *Queen Elizabeth*, by the Laws of the Borders.

IV. Felonies committed by *English-men* in *Scotland*, shall be tried in *Cumberland, Westmorland* or *Northumberland* before Commissioners and Jurors of *England*: and here the Felon shall be adjured to have his Witnesses examined upon Oath; and the Prosecutor and his Witnesses shall by any Justice of Peace of any of those Counties, be bound by Recognisance to Prosecute and give Evidence, the Prosecutor first tendering such Witnesses their reasonable charges.

V. Here also the Accessary shall be so Tried, albeit the Principal be not Convicted or Attainted, and neither Principal nor Accessary shall be allowed Clergy, or peremptorily challenge above five, and the Indictment shall be good notwithstanding the words *Contra Pacem Coronam & Dignitatem nostras*, be omitted.

VI. No Sheriff or other Minister shall return any Juror upon a Trial, but such as have Free-hold worth $\text{£}4$. per annum in the County where the Trial is had, in pain of 40 £ . for every Juror omitted, to be divided betwixt the King and him that will for it.

VII. Here

VII. Here the Offender shall not forfeit any Lands, nor his Blood corrupted, neither shall his Wife lose her Dower; but he shall forfeit all his Goods, Chattels and Credits.

VIII. The like Act being intended to be made in Scotland when the like Offence is committed in England by a Scot, afterwards fled into Scotland, Justices of Oyer and Terminer, Gaol-delivery and Peace of England, have power to bind over to Recognisance both the Prosecutor and Witnesse, they being under their Charges, as before, to appear in Scotland upon the Trial which Recognisance (upon failure) being certified into the chequer-Chamber, shall by Decree there be made a Debt due to the King.

IX. Scotch-men coming into England to Prosecute or give Evidence against an Offender in Scotland, shall be free from Answer any Offence or Cause whatsoever, except Treason and Murder, so long as they are in England for that purpose.

X. The Offence shall be alledged in the Indictment to be done in the Place where indeed it was done.

XI. He that is once Tried in Scotland shall not be again called in question for the same Offence, but his former Trial shall be a Plea for him, unless by Certificate from Scotland some other Crime may be discovered.

XII. No English-man shall be sent out of England to be Tried in Scotland. But this is altered by the Statute following.

XIII. The Jurors, or the greater part of them, may allow or excuse any of the Witnesse of either Party, as they shall in their discretion find cause.

XIV. Here the Trial of a Peer shall be by his Peers.

XV. Stat. 7 Jac. 1. If an English-man shall commit Felony in Scotland, and then flee into England, the Justices of Assize, or any of them, the Justices of Gaol-delivery in their Gaol-delivery, or any of them, or the Justices of Peace in Sessions, or four of them, may send the Offender into Scotland to be Tried: Howbeit this shall not take effect, till another of the like nature (void) be made in Scotland.

XVI. Stat. 16, 17 Car. 17. An Act for the Confirmation of the Treaty of Pacification between the two Kingdoms of England and Scotland. See the Statute at large.

XVII. Stat. 16, 17 Car. 18. An Act for securing by Public Faith the remainder of the Friendly Assistance and Relief promised to our Brethren of Scotland. See the Statute at large.

XVIII. Stat. 19 Car. 2. cap. 13. Twelve persons to be named by the King, shall be Commissioners for this Kingdom, five or more of them, after the 10th of January 1667, and after the 25th of March 1688, and so from time to time, may meet in such Place in England as the King shall appoint, with Commissioners for the Realm of Scotland, and Treat and Determine concerning the Liberty of Trade between the two Kingdoms, by

Impositions, &c. charged since the 25th of March in the 12th Year of the Kings Reign, upon Commodities of the Growth or Manufacture of either Kingdom, or of any of the *English* Plantations, or other Commodities Exported out of *England* into *Scotland*; their Determinations to be reduced into Writing under the Hands and Seals of the Commissioners, and being Ratified by the King, shall be in force for a year from the Date of such Ratification, or to the end of the next Session of Parliament.

XIX. Stat. 22 Car. 2. cap. 9. Persons to be nominated by the King under the Great Seal, or so many of them as shall be appointed to be of the *Quorum*, shall have power to Treat with Commissioners to be Authorized by the Parliament of *Scotland* concerning Union of the Realms, and such other Matters as they shall think fit, for the Kings Honour, and Good of both Kingdoms. Their Proceedings to be reduced into Writings or Instruments *Tripartite*, one part whereof to be Presented to the King, another to the Parliament of *England*, and a third to that of *Scotland*. Provided, that nothing to be Agreed on by them shall be of force till Confirmed by Act of the Parliament of *England*.

Engleschire.

I. Stat. 14 E. 3. Stat. 1. cap. 4. Presentment of *Engleschire* is hereby abolished.

Entry, and Writs of Entry.

I. Marth. 29. 26 H. 3. When so many Alienations have been made, that the Writ of Entry cannot be made in the usual Form, the Plaintiff shall have a Writ to recover his Seisin without mention of the Degrees. And this is called a writ of Entry *sur Disseisin en Fee*.

I. Gloucester 7. 6 E. 1. If a Woman Alien her Dower in Fee for Life, the Heir, or other Person to whom the Land ought to revert after her Death, shall immediately recover it by a Writ of Entry.

Entry lawful.

Stat. 32 H. 8. 33. Where a Disseisor dieth seised of Lands, Descent shall not take away the Entry of the Disseisee or his Heir, unless the Disseisor had peaceable Possession thereof five Years next after such Disseisin committed.

I. Stat. 5 E. 3. 2. *in fine*, & 10 E. 3. Stat. 2. 3. Where is made before the Kings Steward and Marshal, the Plaintiff's Writ remove the Record into the Kings Bench, and may there it redressed.

II. Stat. 31 E. 3. Stat. 1. 12. The Lord Chancellor and Treasurer, calling to them such of the Justices and other sage Persons they shall think fit, as also the Barons of the Exchequer, (to the reasons of their Judgments) may examine erroneous Judgments given in the Exchequer, and (if any Error be found) correct the Rolls, to the end the Exchequer may proceed to Execution.

III. Stat. 32 Eliz. 3. Fines and Recoveries, and all Matters concerning them, now extant and in being, may be Enrolled, and the Enrolment shall be of as great validity as the same so extant and remaining in being.

IV. No Fine, Proclamation or Recovery shall be reversible for false Latine, Rasure, Interlining, Mis-entring, Mis-returning, or any other matter of Form, and not of Substance.

V. This Act shall not bar any from a Writ of Error upon a Fine or Recovery heretofore had and pursued within five years after this Parliament, or which before the first of June 1532, were Exemplified under the Great Seal; nor a Feme-covert, Infant, or *compos mentis*, one in Prison or beyond Sea, so that they or their Heirs pursue such Writ within seven years after such Imperfection, Restraint or Absence removed: and if any of them happen to die hanging the Suit, their Heir may undertake it within one year after the said seven years; and if the Heir be under age, then one year after his full age.

VI. The day and year of the acknowledgment of a Fine, and the Warrant of Attorney for the suffering of a Recovery, shall be certified together with the Concord or Warrant; and none shall be enforced to so certify but within one year after such Acknowledgment made, or Warrant given.

VII. No Officer shall receive any Writ of Covenant or Breach without the day so certified, in pain of 5 l.

VIII. No Attornment upon any Fine in a *Quid juris datus*, *Quem redditum reddit*, or *Per quæ servitia*, shall be entred upon a Concord, unless the party Attorning have first appeared in Court by Attorney warranted under the Hand of a Justice of one of the Benches, or of Assise. And every Attornment otherwise made shall be void without any Writ of Error, or other means to be used for the avoiding thereof.

IX. There shall be an Office for the Enrolments of Writs upon Fines and Recoveries, and one of the Justices of the Common Pleas (besides the Chief Justice) shall have the care thereof.

shall have for the Enrolment and Examination of every Fine with the parts thereof, 6 s. 8 d. and as much for a Recovery and the parts thereof, and for every Exemplification of them, 5 s. and for the Search of every year, 4 d. and for every Sheet of a Copy (containing 14 Lines) 4 d. and shall subscribe his Name to the Roll after he hath so Examined it, in pain of 5 l.

X. The said Justice shall have power to punish the Officers who manage that Employment, by Fine or Amerciament, for their misdirection or negligence therein, which shall be Estreated amongst the Fines and Amerciaments of that Court.

XI. The Chirographer shall the first day of every Term fix in the Court of Common-Pleas a Table of each County, containing a true Content of the Fines passed in any one Term, and shall also deliver the like to each Sheriff, in pain of 5 l. and the Sheriff shall put it up in the Court at the next Assises, in like pain of 5 l. The said Forfeitures are to be divided betwixt the Queen and the Professor, and the Chirographers Fee for every such Content is 4 d.

XII. The Records shall not be carried out of the Office of Enrolments, and Fines and Recoveries already passed and Exemplified, nor be afterwards amended.

XIII. Stat. 27 Eliz. 8. Where a Judgment is given in the Kings Bench in Debt, Detinue, Covenant, Accompt, Action upon the Case, *Ejectione firmæ*, or Trespass, first commenced there, (other than such where the Queen is Party) the Plaintiff or Defendant may sue forth of the Chancery a Writ of Error, commanding the Chief Justice to cause the Record to be brought before the Justices of the Common-Pleas and Barons of the Exchequer, into the Exchequer-Chamber; which Justices and Barons, or any six of them, (being of the Coif) have there power to Examine, Reverse or Affirm the said Judgment; other than for Error concerning the jurisdiction of the Kings-Bench, or for want of Form in any Return, Plaint, Bill, Declaration, or other Proceeding whatever: and after such Judgment Reversed or Affirmed, the said Record shall be remanded, that the Kings-Bench may proceed thereupon as shall appertain: yet such Reversal or Affirmation shall not be so final, but that the party who finds himself grieved, may still sue in Parliament, as before.

XIV. Stat. 31 Eliz. 1. The not coming of the Chancellor and Treasurer at the day of Adjournment in any Suit of Error depending by force of 31 E. 3. Stat. 1. cap. 13. shall not be any discontinuance of the Writ of Error; but if both the Chief Justices or either of those great Officers be there, it shall be no discontinuance: and if no Judgment shall be given therein, unless both those Officers be there present.

XV. Any three of the Justices of the Common-Pleas or Barons of the Exchequer may receive Writs of Error, award Procces thereon, and prefix days of continuance for such Writs, notwithstanding the Statute of 27 Eliz. 8. but no Judgment shall be given therein

without the full appearance of six, according to that Statute here also the party that finds himself grieved may sue in Parliament as before.

XVI. Stat. 16 Car. 2. cap. 2. The not coming of the Lord Chancellor and Lord-Treasurer, or either of them, at the return of any Writ of Error, by vertue of the Statute of 31 Hen. 8. shall not abate or discontinue such Writ of Error; but if both Chancellors or either of them, or Lord-Chancellor or Lord-Treasurer come, the Suit shall proceed.

XVII. Provided, that no Judgment shall be given in any Writ of Error, unless both the Lord-Chancellor and Lord-Treasurer be present.

XVIII. Stat. 20 Car. 2. cap. 4. Judgment may be given in a Writ of Error in the Exchequer in the presence of the Lord-Keeper of the Great Seal, notwithstanding the vacancy of a Lord-Treasurer.

XIX. Stat. 30 Car. 2. cap. 6. One Act made in 17 Car. 2. (whereby amongst other things it was Enacted, that in all Actions personal and mixt, the death of either party between Verdict and Judgment, should not be alledged for Error, so as such Judgment be Entred within two Terms after such Verdict) shall be in force for seven years, and to the end of the next Session of Parliament.

Escape.

I. 1 Hen. 3. 3 E. 1. Nothing shall be taken for the Escape of a Felon, until it be Judged an Escape by the Justices in Eyre, in case of restoring as much to the party grieved, and as much allowed to the King.

II. Stat. 31 E. 3. Stat. 1. 14. The Escape of Felons, and Chattels of Felons, Fugitives and Clerks Convict, Adjudged by Kings Justices, shall be Levied as they shall fall.

III. Stat. 1 R. 3. 2. Justices of Peace have power in Sessions to inquire of Escape of Felons.

Exchange.

I. Stat. 9 E. 3. 7. Exchanges shall be kept where it shall be thought best by the King and his Council.

II. Stat. 25 E. 3. Stat. 4. 12. Every Man may exchange Gold for Silver, or Silver for Gold, or for Gold and Silver, so long as he hold the same as exchanged, nor take profit for such exchange, in pain to forfeit the Money so exchanged; except the King's Exchangers, which take profit for such Exchange, according to the Ordinance before made. Note that this Statute is thus also made in 5 & 6 E. 6. 1. Howbeit the French Copy (in stead of, So long as he hold the same as Exchanged) hath it thus, *Assint que nul benevoient ne soit en Exchange*; and so the mistake seems to be in the word

which should have been *comen*. And *Rastal* in the first Edition of his Abridgment (which I have) renders it, *Nul preigne riens par Eschange d'Or par Argent, ou e contra, sur pain de forfiter del Money issint change, sorprise Changours le Roy, qudux preigneuront solonques l'Ordinancement fait.*

III. Stat. 14 R. 2. Stat. 1. 2. For every Exchange the Merchant shall be bound in Chancery to buy (within three months after such Exchange) Merchandise of the Staple to the value of the Sum exchanged, in pain to forfeit the Sum.

IV. Stat. 11 H. 4. 8. The Statute of 14 R. 2. shall be duly executed, and the Lord-Chancellor shall send the Escheats or Exchanges taken of Merchants into the Exchequer 15 days; and the Barons there shall have power to examine the Customers in that case, and to punish them if they find them faulty. But note that these two Statutes are now out of use.

V. Stat. 5, 6 E. 6. 19. None shall give or take any more for the Exchange of Coin than the true value thereof amounteth unto, in pain to forfeit the Money so Exchanged, or suffer one years Imprisonment, and to be Fined at the Kings pleasure; and the said forfeiture is to be divided betwixt the King and the Seiser or Prosecuror.

Exchequer.

I. Stat. Scaccarii 51 H. 3. All Bailiffs, Sheriffs, the Justices of Peace, Receivers of Wards and Escheats, and other Officers, shall account in the Exchequer to the Treasurers and Barons there; and all Sheriffs, Farmers, Bailiffs of Franchises, and others that come to the Profer of that Court the Munday after Mich. the Munday after the *Wras* of Easter, shall then pay in their Rents and Issues; and upon default they shall there remain till Payment or Agreement made for the same, and in case of absence, they shall be Amerced.

II. Then also shall the Sheriffs and Bailiffs pay in their Summons to the Exchequer, and be then also ready to make Account for the same as aforesaid: and if the Bailiffs fail to do it, their Bodies shall remain in Ward of the Sheriffs, and the Sheriff shall Levy the Kings Debt by himself or his own Bailiffs, where the Bailiffs of the Franchise fail to do it.

III. The Justices of Chester shall have day to Accompt from year to year in *Quindena Pasche*, and the Bailiffs thereof in the Munday after *Wras*.

IV. All Sheriffs (except of *Wiltmorland*, *Lancaster*, *Worcester*, *Rutland* and *Cornwall*) shall keep all Wards and Escheats belonging to the King, and shall be answerable for the Issues thereof in the Exchequer at the Terms aforesaid; and at their Turns they shall find the value of such things as belong to the King, and which are not used or sold before the Escheators, with as little grievance of the

without the full appearance of six, according to that Statute here also the party that finds himself grieved may sue in Parliament as before.

XVI. Stat. 16 Car. 2. cap. 2. The not coming of the Lord Chancellor and Lord-Treasurer, or either of them, at the return of any Writ of Error, by vertue of the Statute of 31 shall not abate or discontinue such Writ of Error; but if both Justices or either of them, or Lord-Chancellor or Lord-Treasurer come, the Suit shall proceed.

XVII. Provided, that no Judgment shall be given in any Writ of Error, unless both the Lord-Chancellor and Lord-Treasurer be present.

XVIII. Stat. 20 Car. 2. cap. 4. Judgment may be given in a Writ of Error in the Exchequer in the presence of the Lord-Chancellor of the Great Seal, notwithstanding the vacancy of a Lord-Treasurer.

XIX. Stat. 30 Car. 2. cap. 6. One Act made in 17 Car. 2. (whereby amongst other things it was Enacted, that in all Actions personal and mixt, the death of either party between Verdict and Judgment, should not be alledged for Error, so as such Judgment be Entred within two Terms after such Verdict) shall be void for seven years, and to the end of the next Session of Parliament.

✧ Escape.

I. 11 Jeff. 1. 3. 3 E. 1. Nothing shall be taken for the Escape of a Felon, until it be Judged an Escape by the Justices in Eyre, nor of restoring as much to the party grieved, and as much allowed to the King.

II. Stat. 31 E. 3. Stat. 1. 14. The Escape of Felons, and Chattels of Felons, Fugitives and Clerks Convict, Adjudged by Kings Justices, shall be Levied as they shall fall.

III. Stat. 1 R. 3. 2. Justices of Peace have power in Sessions to inquire of Escape of Felons.

Exchange.

I. Stat. 9 E. 3. 7. Exchanges shall be kept where it shall be thought best by the King and his Council.

II. Stat. 25 E. 3. Stat. 4. 12. Every Man may exchange Money for Silver, or Silver for Gold, or for Gold and Silver, so that the Man hold the same as exchanged, nor take profit for such exchange, nor in pain to forfeit the Money so exchanged, except the King's Justices, which take profit for such Exchange, according to the Ordinance before made. Note that this Statute is thus also mentioned in 5 & 6 E. 6. 1. Howbeit the French Copy (in stead of, So as the Man hold the same as Exchanged) hath it thus, *Issint que nul bene soit de comeen Eschange*; and so the mistake seems to be in the word

which should have been *comen*. And *Rastal* in the first Edition of his Abridgment (which I have) renders it, *Nul preigne riens par Eschange Or par Argent, ou e contra, sur pain de forfiter del Money issint change, sorprise Changours le Roy, qutux preguant solonques l' Ordinance fait.*

III. Stat. 14 R. 2. Stat. 1. 2. For every Exchange the Merchant shall be bound in Chancery to buy (within three months after such Exchange) Merchandise of the Staple to the value of the Sum exchanged, in pain to forfeit the Sum.

IV. Stat. 11 H. 4. 8. The Statute of 14 R. 2. shall be duly executed, and the Lord-Chancellor shall send the Escheats or Exchanges taken of Merchants into the Exchequer 15 days; and the Barons there shall have power to examine the Customers in that case, and to punish them if they find them faulty. But note that these two Statutes are now out of use.

V. Stat. 5, 6 E. 6. 19. None shall give or take any more for Exchange of Coin than the true value thereof amounteth unto, in pain to forfeit the Money so Exchanged, or suffer one years Imprisonment, and to be Fined at the Kings pleasure; and the said Fine is to be divided betwixt the King and the Seiser or Prosecuror.

Exchequer.

I. Stat. Scaccarii 51 H. 3. All Bailiffs, Sheriffs, the Justices of Peace, Receivers of Wards and Escheats, and other Officers, shall resort in the Exchequer to the Treasurers and Barons there; and the Sheriffs, Farmers, Bailiffs of Franchises, and others that are to come to the Profer of that Court the Munday after Mich. the Munday after the *utras* of Easter, shall then pay in their Rents and Issues; and upon default they shall there remain in Payment or Agreement made for the same, and in case of absence, they shall be Amerced.

II. Then also shall the Sheriffs and Bailiffs pay in their Summons in the Exchequer, and be then also ready to make Account for the same aforesaid: and if the Bailiffs fail to do it, their Bodies shall be in Ward of the Sheriffs, and the Sheriff shall Levy the Kings Debt by himself or his own Bailiffs, where the Bailiffs of the Franchises fail to do it.

III. The Justices of Chester shall have day to Accompt from year to year in *Quindena Pasche*, and the Bailiffs thereof in the Munday after *utras*.

IV. All Sheriffs (except of *westmorland*, *Lancaster*, *worcester*, *Rutland* and *Cornwall*) shall keep all Wards and Escheats belonging to the King, and shall be answerable for the Issues thereof in the Exchequer at the Terms aforesaid; and at their Turns they shall find the value of such things as belong to the King, and which are not used by the King, found before the Escheators, with as little grievance of the

People as may be; and shall seise such Escheats as fall to the King in Fee, and shall without delay certifie the King thereof.

V. The King shall assign three able persons to survey and yearly the Wards and Escheats aforesaid, which the Sheriffs shall Lett to Farm for the Kings best advantage.

VI. The Sheriff of *Cumberland* shall be Escheator in *Westmorland* and *Lancaster*, the Sheriff of *Nottingham* in *Rutland*, the Sheriff of *Gloucester* in *Worcester*, and the Sheriff of *Devonshire* in *Cornwall* and they shall safely keep the Kings Wards and Escheats in the Counties, and the Terms aforesaid shall be answerable for the same thereof in the Exchequer, as well as for those of their own Counties.

VII. The said Surveyors shall approve and manage the Kings Demesnes, and shall be answerable for the Issues thereof, and the Farmers shall be chargeable to the principal Approvers, and they shall in the Exchequer yearly the *Munday* after *Ascension-day*.

VIII. Also the Collectors of the Custom of the Wooll shall account and Pay yearly in the Exchequer at the two Terms aforesaid.

IX. The Keeper of the Kings Wardrobe shall also Account yearly at the Feast of *S. Margaret*.

X. The Treasurer and Barons shall prefer the taking of the Accounts before any other Business to be heard in Court, except it concern the Kings own Debt.

XI. One Sheriff shall not be received to Account during anothers Account, nor until the first Accomptant have paid all his Money.

XII. The Constable, Marshal, Chamberlain, and other that are of Fee in the Exchequer, shall Present to the King such a good same to execute their Offices, and for whom they will answer.

XIII. No Deputy-Officer (without the Licence of the Treasurer and Barons) shall be there received, unless he be sworn; and he commit any Trespas, and be not able to satisfie the Payment inflicted, his Superior shall be answerable for it.

XIV. The Officers of the Wooll-staple shall make Oath to certify the Treasurer and Barons, or some of them, (or, if need require, the King himself) of all Defaults and Offences committed in the Wooll staple.

XV. About the Feast of *S. Margaret*, and before the close of the Exchequer, search shall be made whether any Sheriff or Bailiff failed to Account that year, and if any have, a Remembrance thereof shall be made in the Roll: and if it be a Sheriff, his Account shall be first heard after *Michaelmas*; but if a Bailiff, he shall be Summoned or Distrained to Account at a certain day.

XVI. The Surveyors of the Kings Works shall be chosen by the Oath of 12 Men, and of such as may best attend that Office, sufficient to answer to the King, if need be; and shall freely they bear lawful Witnesses: and if the Treasurers or Barons

the sale, allowance of charges, or the like, the truth thereof shall be inquired; and he that is Attainted shall answer the King as much as the allowance amounteth unto, shall suffer a year and 40 days Imprisonment, and be farther punished at the Kings pleasure; and the Surveyors shall be also punished for their consent. And here, he that concealed any thing wherewith he is chargeable, shall be punished as well as he that admitted such false allowances.

XVII. All Justices, Commissioners and others, shall deliver in to the Exchequer yearly after *Michælmass*, the Estrêts of Fines and Amerciaments Taxed before them, and the Exchequer shall Estræt them out in the Summons to all Counties, except the Estrêts in *Eyre*, which shall be delivered immediately after the *Eyre* made.

XVIII. Stat. *de Rutland*. 10 E. 1. From henceforth the Bodies of Shires shall not be written in several Rolls, but in a certain annual Roll by themselves, which shall be read every year upon the Accounts of Sheriffs.

XIX. The remnants of the Firms shall be written by later Dates in the annual Rolls, and the Sheriff shall be charged therewith; in which remnants, Liveries, Alms assigned, and other allowances (if Sheriffs have had any) of the Issues of their Bailiwicks by the Kings Writs, shall be allowed: and to the end the King may not be abused in such allowances, the Treasurer and Barons shall certify to the Chancellor the due allowances, and the Writs of allowances shall be made according to such Certificate.

XX. Also in those annual Rolls shall be written the Sheriffs Firms, the Profit of Counties, the Firms of Serjeants, Assers, Cities, Boroughs, Towns and other Firms, whereof there is answer yearly made in the Exchequer. In them likewise shall be written Debts determined, gross Debts, and all other Debts that seem to be clear: Howbeit new Duties shall not be written therein, but the Debts whereof there is hope of payment, and whereof the Sheriff is answerable, and Debts found in the Originals.

XXI. Of dead Firms and desperate Debts whereof there is no hope, one Roll shall be made, intituled *Comptatus*, and shall be read yearly upon the Sheriffs Account; and the Debts there, whereof the Sheriff is answerable, shall be writ in the annual Roll, and there shall be acquitted.

XXII. Tallies already paid, and not allowed, but charged in the Summons of the Exchequer, shall after Proclamation be delivered to the Sheriffs, to be allowed upon their Accounts; and two hundred Knights in every County shall be present at the delivery of the Tallies, which shall be delivered by Indenture betwixt the Sheriffs and the Sheriffs, which Knights shall send their part to the Exchequer at the Sheriffs Account: and if the Tallies be not so delivered as aforesaid, the party failing shall be chargeable with the same.

XXIII. Inquisitors shall be appointed in every County, what they are, and what part thereof are paid, and what not; which In-

quisitors shall certify the persons Convict to have received and thereupon examination thereof shall be made in the Exchequer and the Rolls rectified accordingly.

XXIV. The Chamberlains of the Exchequer shall not make Sheriffs or Bailiffs Tallies or *Dividends*, unless they first receive them Writings concerning the particular Sums of the Actions Debts, and the Names of them that paid them, unto which Particulars he may put the Names of such *Dividends*, which being so received under their Seals, they shall not be afterwards numbered in other Particulars.

XXV. When *Nichils* are returned by the Sheriff, they shall be Estreated into Rolls, and delivered unto circumspect Men to be inquired of, as the Treasurer and Barons shall direct.

XXVI. No Suit shall be prosecuted in the Exchequer-house, unless it concerns the King and his Officers there.

XXVII. Stat. 37 E. 3. 4. The Clerks of the Remembrancers shall sit against the Clerk of the Pipe, to take notice of, and to certify all Discharges in the Pipe, to the end that Process may be withdrawn upon cease: also upon such Discharge the Summons of Pipe shall be withdrawn.

XXVIII. Stat. 1 R. 2. 5. All former Statutes made concerning the Officers of the Exchequer shall be firmly kept.

XXIX. If any Officer there make out a Process for a Debt ready paid, he shall lose his Office, be Imprisoned, and make good with the Party at the discretion of the Treasurer and Barons.

XXX. Stat. 5 R. 2. Stat. 1. 9. Every person Impeached of the Exchequer, may Plead there in his own Discharge.

XXXI. Stat. 5 R. 2. Stat. 1. 11. Accounts in the Exchequer shall be Heard, Made and Ingrossed more speedily than they wont.

XXXII. Stat. 5 R. 2. Stat. 1. 12. Two Clerks shall be appointed and sworn to make parcels of Accompts in the Exchequer, and shall be recompensed for their pains as the Barons shall think fit.

XXXIII. Stat. 5 R. 3. Stat. 1. 12. No Accounts of *Nichils* shall be admitted but upon Oath and Examination of the Officers, and upon such Oath shall be discharged thereof, saving the King's Plea.

XXXIV. Stat. 5 R. 2. Stat. 1. 14. The Clerk of the Pipe and the two Remembrancers shall be sworn to make due Entry (every Term) of all Writs for the Discharge of any Person. And the Remembrancers shall also be sworn to make a Schedule (every Term) of such as shall be so discharged, and to deliver it to the Clerk of the Pipe, to the end they may also be discharged in the great Roll. And the Clerk of the Pipe shall also be sworn to receive such Schedules, and to deliver like Schedules to the Remembrancers of such as shall be discharged in his Office.

XXXV. Stat. 5 R. 2. Stat. 1. 15. If a Judgment of the Court be given in any other Court, shall be sent into the Exchequer, to the Remembrancer in whose Office such Account shall be demanded.

not issue new Process thereupon, but shall cause it to cease by an Indorsement upon the Writ.

XXXVI. Stat. 5 R. 2. Stat. 1. 15. The Clerks Fee for making of a Commission or Record of *Nisi prius* in the Exchequer shall be only 2 s.

XXXVII. Stat. 13 R. 2. Stat. 1. 14. Recognisances or Bonds of the double made in the Exchequer for the Kings Debts shall be void : Provided the King be secured his Duty the usual way.

XXXVIII. Stat. 1 Jac. 26. Issues lost, which by Queen *Eliz.* Orders made in the 15th year of her Reign ought to be remitted, shall from henceforth be discharged in the Exchequer.

XXXIX. If the Treasurers Remembrancer, or any Officer under him, observe not the said Orders. they shall forfeit 20 l. to be sued for within two years, and to be divided betwixt the King and the Party grieved.

XL. No Process to do Homage and Fealty, or Fealty only, or Writs of *Scire facias*, *Capias*, or Distress for Fines Estreated out of the Common-Pleas, shall issue out of the Remembrancers Office upon supposal onely, upon the pains provided by former Laws and Orders of the Exchequer, but it must be upon just ground: and if it appear there that a Tenure hath been Traversed, the Process shall be Discharged by such Traverse without Pleading.

XLI. Upon the Estreat of the Original of the Chancery of the first Grant of any Lands holden in chief, by Knights Service, or Socage in chief, or of any Licence or Pardon of Alienation, *Quæstio main*, general or special Livery, or the Enrolment of any of them, Process shall be made onely for the Services due thereupon, and the Parties shall be admitted without Pleading, paying the Fine, as hereafter is expressed.

XLII. Here where the first Tenant is returned *Mort*, or *Nihil habet*, then shall issue out a *Disfring. tenant*. for the Tenant or Tenants to do his or their Service; against whom, after he or they be known, Process shall issue out every Term without Issues to be taken, until they come to shew their Entry, make Fine, &c.

XLIII. If a Grantee of an Inheritance or Free hold in Lands holden in chief, or by Knight Service, have a Licence of Alienation, and bring it to the Treasurers Remembrancer, it shall be received and Enrolled without Plea : so likewise shall a Livery general or special, or *Quæstio main*.

XLIV. Where any Writ of Reversion shall be made upon any record for Lands wherein the Prince is in Reversion, the Party upon shewing a Record testifying so much, shall be discharged without Plea.

XLV. Where two Mannors in one County have the same Name, that of them be charged which ought not, the Issues out shall be void, and the Party discharged without Plea.

XLVI. Issues lost by any which are returned Tenants of Lands which they have not, shall be discharged.

XLVII.

XLVII. Issues lost upon a Ward under age shall be discharged; so also shall those returned upon the Committee of a Ward.

XLVIII. Issues lost upon Lands in the Queens hands by Extent, shall be discharged; so also shall those returned upon Tenants for life, year, or at will, or upon Tenants of Lands in chief by Extent.

XLIX. Issues lost by untrue Returns or Mis-returns by Sheriff, shall be discharged.

L. Issues lost upon any former Grants of Lands in chief, and now not holden, shall be discharged.

LI. Issues lost by being returned upon a Jury, when the Party at the time of his appearance was in Prison, beyond Sea, or in the Queens Service, shall be discharged.

The Exchequer-Fees for respect of Homage.

The value of the Land.		The Queens Fee.		The Re- membran- cers Fee.		The Entry.		The Attorneys Fee.	
li.	li.	sh.	d.	sh.	d.	sh.	d.	sh.	d.
A 100 ad	60	10	00	01	08	00	04	By some	03 04
A 60 ad	30	06	08	01	08	00	04	By some	01 04
A 30 ad	20	05	00	01	08	00	04	By some	00 04
A 20 ad	15	03	04	01	01	00	04		1. sh. 2.
A 15 ad	10	02	00	01	08	00	04	By some	2 00
A 10 ad	10 m.	01	08	01	08	00	04	volunta-	1 00
A 10 m. ad	5 li.	01	00	00	00	00	04	ry annu-	0 15
A 5 li. ad	3 li.	05	08	00	08	00	04	ities for	0 10
A 3 li. & infra.		00	04	00	04	00	04	all mat-	0 06
								ters.	0 05

*These notes are
sues, but have the
Fines paid when
they come in.*

LII. The Treasurers Remembrancer shall satisfie every Subject Charges that shall be vexed upon a supposal to be set by the Court; so also shall his Clerks pay the Issues lost, when the Subject has duly paid his respect of Homage, to be proved by the Acquittance.

LIII. The Treasurers Remembrancer may by Order of the Exchequer, issue out Process for the discovery and preservation of Innuences, notwithstanding this Act: Howbeit, no such Tenure appearing, the Party shall be discharged without Plea or Fee.

LIV. Stat. 19 Car. 2. cap. 12. An Act for assigning Orders in Exchequer without Revocation. *Expired.*

Escheators.

I. Stat. 14 E. 3. 8. Escheators shall be chosen by the Chancellor, Treasurer and chief Baron; calling to them the two chief Justices, as Sheriffs use to be chosen: and they shall not continue in their Office above one year.

II. Stat. 34 E. 3. Stat. 1. 13. Every Escheator shall take his Enquests of good and lawful Men, well inherited and of good fame; and inhabiting the County where the Inquiry is made: and the Enquest so taken shall be indented between him and the Jurors; otherwise they shall be void. The Enquests shall also be taken in good Towns openly, and not privily.

III. Stat. 34 E. 3. Stat. 1. 14. Traverses of Offices found before the Escheators shall be Tried in the Bench.

* IV. Stat. 36 E. 3. Stat. 1. 13. An Escheator shall have no Fee of the Lands of the Kings Ward, neither shall he commit any Waste therein, in pain of forfeiting treble Damages at the Wards own Suit, or by his Friends. The same Law is also of other Land seised by Enquest of Office.

V. Land seised into the Kings hand by an Escheator, shall be Let to Farm by the Chancellor to him which tendreth a Traverse to the Office.

VI. Enquests shall be taken openly and by Indenture, as aforesaid: and if the Escheator do contrary to this Act, he shall suffer two years Imprisonment, and be Ransomed at the Kings will.

VII. Stat. 42 E. 2. 5. None shall be Escheator unless he have 20 l. of Land at least in Fee: He shall execute his Office in proper Person, and upon the putting in of another his Office determines.

VIII. Stat. 8 H. 6. 16. No Escheator or Commissioner shall take any Enquests but such as are impannelled by the Sheriff of the County within which he bears that Office: in pain of 40 l. to be divided betwixt the King and the Party grieved.

IX. Lands seised by the Escheator shall not be Let to Farm before the Officer be fully returned, and then they shall be Let to him that tendreth a Traverse to the Office, he finding Surety to prosecute it with effect, and to answer the Profits, in case he cannot maintain the Traverse: but then he must tender his Traverse within a month after the Return.

X. The Escheator or Commissioner shall return the Office within a month, in pain of 20 l. to be divided betwixt the King and the prosecutor.

XI. Stat. 18 H. 6. 6. No Lands shall be granted before the Title thereunto be found by Inquisition, nor within a month after, unless it be to him that tendreth his Traverse as aforesaid.

* XII. Stat. 18 H. 6. 7. The Escheator shall return an Office and before him, into the Chancery or Exchequer within one month after the taking thereof, in pain of 40 l. given by the Stat. of

of 8 H. 6. 16. and besides to answer so much to the King as he is damnsified for not returning the same.

XIII. Stat. 23 H. 6. 17. The Escheator shall take his Inquest within one month after the delivery of the Writ unto him, and that in some good Town openly.

XIV. He shall not take above 40 s. for the execution of one Writ in one County, and that onely when his labour and costs require it, otherwise he ought to take less: and all this in pain of 40 l. to be divided betwixt the King and the Prosecutor.

XV. If any will Traverse an Office, no Protection shall lie for the Patentee: and concerning the Demise of the Lands to him that renders a Traverse, the Stat. of 36 E. 3. 13. 8 H. 6. 16. & 18 H. 6. 16. shall be duly observed.

XVI. Stat. 12 E. 4. 9. None shall take upon him to be an Escheator, or Deputy to an Escheator, unless the Escheator himself hath Free-hold within the County worth 20 l. *per annum*, in pain of 40 l. to be divided betwixt the King and the Prosecutor.

XVII. His Deputy or Farmer shall be a sufficient Man, and shall certifie into the Exchequer his Deputation within 20 days next after it is made, upon the like pain of 40 l. to be divided as above said.

XVIII. Justices of Peace in Sessions have power to hear and determine these Defaults, and give Judgment for the recovery of the said Forfeitures.

XIX. This Statute shall not restrain Corporations which have power by their Charter to appoint Escheators.

XX. Stat. 1 H. 8. 8. No Office shall be returned into any of the Kings Courts but such as is found by Jury, in pain to the Party 5 l. to the Party grieved.

XXI. The yearly Revenue of an Escheator or Commissioner shall be 40 Marks in Free-hold in the same County, so that they shall not execute any Writ, unless they have Lands of that value, in pain of 20 l. and the Commissioner (not having such an Estate) may refuse to sit, and shall be discharged upon Oath without fine or Fee.

XXII. They shall sit in open Places according to former Statutes and shall take their Evidence openly, in pain of 40 l.

XXIII. Here, if the Sheriff return a Juror not having 40 s. *per annum* Free-hold in the same County, he shall forfeit 5 l.

XXIV. The Inquisition shall be taken by Indenture, whereof one part shall remain with the Fore-man, and the other part shall be delivered by the Commissioners or Escheator into the Petty Officer's Office, from whence it is afterwards to be transcribed into the Exchequer: and the Jurors shall Present by Indenture, in pain to the Juror 20 s. apiece. The Escheator also, or the Commissioners, or some of them, shall receive the Jurors Presentment without fine in pain of 5 l.

XXV. The Officer in the Petty-Bag shall File the Office within three days after receipt thereof, in pain of 40 l.

XXVI. The Officer in the Exchequer that refuseth to receive an Office upon tender, shall forfeit 40 l. and then the Escheator or Commissioners shall be discharged of their Forfeiture of 40 l. for not returning the Officer within a month, so that they return another into the Chancery or Exchequer (as the cause requires) within a month after that first month.

XXVII. The Clerk of the Petty-Bag shall send a Transcript of the Office into the Exchequer the next Term after he receives it, in pain of 5 l.

XXVIII. None shall be Escheator above a year, nor within three years after; and the abovesaid Forfeitures of 5 l. the Party grieved shall have, but the rest shall be divided betwixt the King and the Prosecutor.

XXIX. This Act shall not restrain such as by reason of any Franchise, Prescription or Grant, may depute Escheators, but that such Escheators may hold their Office above a year.

XXX. Neither shall the Branch of this Act concerning the yearly value of Estates of Escheators and Jurors extend to Corporations or privileged Persons and Places, the Counties Palatine of Lancaster and Chester onely excepted.

XXXI. Neither shall this Act extend to prejudice Justices of Peace for doing any thing which concerns the Commission of Peace.

XXXII. Stat. 1 H. 8. 10. Lands seised into the Kings hands upon an Enquest of Office, shall be Let to Farm to him that rendreth to Traverse the same within three months after such Office found, notwithstanding the Statute of 8 H. 6. 16.

XXXIII. Stat. 33 H. 8. 22. He that is certified in the Chancery by the Treasurer to be Escheator, shall within one month take to him the Office, or shew cause in the Exchequer why he doth not, in pain of 20 l.

XXXIV. The Escheator shall not fit *virtute Officii* where the lands be 5 l. *per annum* or above, in pain of 5 l.

XXXV. The Escheator shall forfeit 5 l. if he take for the finding of an Office of Lands that exceed not 5 l. *per annum* above 15 s. for his own Fee 6 s. 8 d. for writing the Office 3 s. 4 d. for the charges 3 s. and for the Officers above that are to receive the Office, 2 s.

XXXVI. The Officers appointed to receive Inquisitions, shall receive them upon tender within a month after their finding, in pain of 5 l.

XXXVII. The abovesaid Forfeitures shall be divided betwixt the King and the Prosecutor.

XXXVIII. Stat. 2 & 3 E. 6. 8. The Estates and Interest of others shall be saved, though they be not found in the Office.

XXXIX. Where an Heir of full age is found within age, he shall have a Writ of *Etate probanda*, and may proceed to sue out his Livery,

Livery, or *Ouster le main* (as his Case is) and receive the Profits of his Lands, notwithstanding such Office found.

XL. Where after the Kings Tenants death more Heirs than one are found, or if one untruly be found a Lunatick, Ideot, or dead, the Party grieved may have his Traverse, as in other cases of untrue Inquisitions.

XLI. A Traverse, or *Monstrans de droit*, is given without Petition, though the King be Intitled by double matter of Record.

XLII. When the Jury finds *De quo vel de quibus, &c. ignorant*, or *Per quæ servitia ignorant*, the first shall not make a Tenure of the King, nor the last a Tenure in *Capite*, but in such a case a *Melius inquirendum* shall issue forth.

XLIII. Traverse given to an Office, where a wrong Tenure is found.

XLIV. The Rents of mean Lords shall be paid (during the Nonage of the Ward) by the Officer that receives the Revenue of Wards Lands.

XLV. This Act shall not extend to Inquisitions taken before the 20th of March 1548.

XLVI. Upon every Traverse a *Scire facias*, or two Writs of Search shall issue forth; viz. the first against the Kings Patents, and the other when by the Common Law the Party grieved is put to his Petition.

XLVII. Notwithstanding a Traverse, the Kings former Right shall be reserved.

Essoin.

I. *Parlbz. 13. 52 H. 3.* After Issue joyned in Dower, *Dower Presentment*, or *Quare Impedit*, one Essoin or one Default only shall be allowed; and if the Party come not at the day given, or put in Default the second day, the Enquest shall be taken, and Judgment given.

II. If the Enquest be taken in the County before the Sheriff or Coroners, it shall be returned before the Justices at a certain day; when if the Party appear not, another day shall be assigned by the Justices, and then shall issue a Command to the Sheriff to call the Party to come to hear the Judgment; when if he come not, the Justices shall proceed to Judgment. In like manner it shall be if he come not at the day given by the Essoin.

III. *Parlbz. 19. 52 H. 3.* In Counties, Hundreds, Countessons, or other Courts, none shall need to swear to warrant an Essoin.

IV. *West. 1. 41. 3 E. 1.* In Assise, Attaints, and Jury after appearance the Tenant shall not be Essoined.

V. *West. 1. 42. 3 E. 1.* Parceners or Tenants joyntly Enssoined shall not Fouch by Essoin.

VI. *West. 1. 42. 3 E. 1.* Essoin *ultra Mare* shall not be allowed but shall be turned into a Default, if the Demandant will prove

the Tenant was within the four Seas the day of the Summons, and three weeks after. Howbeit, this is onely to be done before Justices.

VII. *Blouester* 10. 6 E. 1. The Husband and Wife being Impleaded, shall not Fouch by Essoin.

VIII. *West.* 1. 2. 13 E. 1. There shall be no Essoin for any Appellant.

IX. *West.* 2. 17. 13 E. 1. In the Circuit of the Justices an Essoin *De malo lecti* lieth not for Lands in the same County, unless the Party be sick indeed : for if at the instance of the Demandant it be proved by Inquest that the Tenant is not sick, the Essoin shall be turned to a Default.

X. Neither shall such an Essoin lie in a Writ of Right between two claiming by one Descent.

XI. *West.* 2. 27. 13 E. 1. An Essoin may be allowed at the next day after Inquest, but none at any of the other days following, nor after day given *prece partium*.

XII. *West.* 2. 28. 13 E. 1. In Assise after appearance, the Demandant shall not be Essoined.

XIII. *Star. Of Essoins*, 12 E. 2. Essoins do not lie in the ensuing Cases : Where the Land is taken into the Kings hands ; where the Party is Distrained by his Lands ; where any Judgment is given thereupon ; if the Jurors come ; where the Party is seen in the Court. Essoin *ultra Mare* lieth not where the Party hath had before an Essoin *De mal venir* : it lieth not where the Party hath Essoined himself another day ; where the Sheriff was commanded to make the Party to appear. Essoin *De servitio Regis* lieth not where the Party is a Woman ; it lieth not in a Writ of Dower, or because the Plaintiff hath not found Pledges ; it lieth not where such a mans Attorney was Essoined ; where the Party hath an Attorney in his Suit ; where the Essoiner confesseth that he is not in the Kings Service ; where the Summons is not returned, or the Party not Attached ; upon *Non est inventus* returned ; where the Party was before Essoined *De servitio Regis*, and had not put in his Warrant ; where the Party hath been re-summoned in Assise of *Anteancestor*, or *Darrein Presentment* : it lieth not because such a Party is not named in the Writ ; nor where the Sheriff hath a Precept to Distrain the Party to come by his Lands and Goods ; nor where the Bishop was commanded to cause the Party to appear ; nor for that the day is past.

XIV. An Essoin *De servitio Regis* is allowed after the *Grand cape*, *Petit cape*, and Distresses taken upon the Lands and Goods.

XV. *Star. De visu terre*. An Essoin *De servitio Regis* lieth not in a Writ of *Novel Disseisin*, *Dower*, *Darrein Presentment*, or *Appeal*. *de Regl. Essoin* 13.

Estates for lives, &c.

I. Stat. 19 Car. 2. cap. 5. If persons for whose lives Estates are granted, remain beyond Sea, or absent themselves in this Kingdom seven years together, and no evident proof be made of their return in any Action commenced by the Lessors or Reversioners, for recovery of such Tenements, they shall be accounted as dead. And in such Actions the Lessor or Reversioner may take exception to the Juror, that the greatest part of his real Estate is held by Lease for Copy for Lives.

II. This Act shall not extend to Lands held by the Lives of persons Attainted for the Murther of the late King, which have been vested in the King, and are now granted to the Duke of York.

III. If after any persons shall be evicted by vertue of this Act the Persons upon whose lives such Estates depend, shall return beyond Sea, or on proof in any Action for the same be made to appear to be living, or have been living at the time of the Eviction the Tenant, who was outed, his Executors, &c. may enter, and upon Action against them that received the Profits, recover the full Profits with lawful Interest.

Estrepeiment.

I. Gloucestre 13. 6 E. 1. No Waste shall be made haply in Suit for the Land.

Estreats.

I. West. 1. 44. § E. 1. If Tenant or Defendant make Default after the first Attachment returned, the great Distress shall be levied; whereupon if the Sheriff make no sufficient Return, he shall be Amerced: but if the Return be that he hath done Execution and delivered the Issues to the Sureties, day shall be given to return them before the Justices; when if the Parry appear, he shall have them, but if not, the King shall have them; and the Justices shall cause them to be sent into the Kings Wardrobe, and then deliver them into the Exchequer, and the Justices in Eyre to the Sheriff of the County, (where they Plead) and likewise of foreign Counties, who shall be charged therewith by the Rolls of the Justices.

II. Stat. *De forma mittendi extractus ad Scaccarium*, 13 E. 1. *Vide Rast. Estreats* 2. First all Fines to have Writs, and all Fines (wherein the Sum is expressed) of one County for the year, which are to be sent into the Exchequer, Entred in the Rolls of themselves in one place, in order as they are Entred in the Chancery-Rolls, together with the date of the day when the Fine was made.

III. Next to them shall be Entred Charters, Letters Patent,

Commissions

Conditions in which any Rent is due to the King, or any Account to be made; then Homages, Fealties, Writs of *Diam clausit* &c. Reliefs and Services.

IV. Then, the Names of all such as shall be assigned that year to hear, inquire of, or do any thing whereby Fine, Amerciament or other Profit may arise to the King, to the end they may be sent to for the Estreats thereof. And in the end of the Estreat Re-disseisins and discharging of Pastures.

V. *Statutum Scaccarii* is Confirmed, and it is farther Ordained, that the Justices of both the Benches, the Warden of the Forest, the Steward of the Kings House, and the Clerk of the Marker, shall in like manner yearly deliver their Estreats in the Exchequer: The Steward of the Kings House shall also send his Estreats yearly at the end of Easter Term, and the next day after *Michaelmas*.

VI. The Warden also of the Aulnage shall yearly deliver his Estreats to the Treasurer, containing all defaults of Cloth contrary to the Assise, and the Price at which he delivered them, and also when, and by what Warrant.

VII. Divers other Provisions for the Kings Butler, and Customers, concerning Wines Imported.

VIII. Stat. 42 E. 3. 9. The Party chargeable by the Estreats of Hen-Wax, upon payment thereof shall see the Schedules themselves under Seal, and the Charge being paid, it shall be Totted by the Sheriff; for default whereof, if the Party be afterwards damned, the Sheriff shall pay him treble Damages, to be recovered before Justices of Peace, or other Justices, and shall besides make return to the King. Also where the Copies of the Estreats concern Franchises, they shall be delivered to Bailiffs of the Franchises under the Sheriffs Seal, which Bailiffs shall render an Account thereof to the Exchequer by the same Copies.

IX. Stat. 7 H. 4. 3. The Justices and Judges before whom If-amerments are forfeit, shall charge the Clerks of the Exchequer, where they are so forfeit, by Oath to express in their Rolls the Cause of such Forfeit, the Term when, the nature of the Forfeit whereupon, and betwixt what Parties they were lost, and that shall be in the Kings Suit as in the Parties.

X. The Stat. of 42 E. 3. 9. Confirmed.

Evidence.

Stat. 7 Jac. An Action being brought against a Justice of Peace, Mayor or Bailiff of a Corporation, Headborough, Portreeve, Constable, Tything-man, or Collector of Subsidies or Fines, for any thing done by reason of their several Offices, both the Party and all their Assistants may Plead the General Issue, and yet not be bound to prove the special matter in Evidence.

And here, if the Verdict pass for the Defendant, or the Plaintiff be acquitted, or discontinue his Suit, the Defendant shall be allowed double Costs.

ble Costs, to be recovered as Costs in other Cases given to the Defendant to be recovered.

III. Stat. 21 Jac. 12. The Statute of 7 Jac. 5. is Confirmed and Churchwardens, Sworn-men, and Overseers of the Poor together with their Assistants, are to be comprehended within the purview of the same Statute.

IV. An Action brought against any the said Officers, the deputies or Assistants, shall be laid in the County where the Fault is committed, and not elsewhere.

V. *v. Tit. Collectors Sess. 2.*

Exception.

I. *Titell. 2. 31. 13. E. 1.* When the Justices will not allow of Exception upon Prayer, If the Party Impleaded tender the same unto them in Writing, and requires their Seals thereunto, or one of them shall do it.

II. If the Exception Sealed be not put into the Roll, upon Complaint thereof to the King the Justice shall be sent for, and cannot deny the Seal, the Court shall proceed to Judgment according to the Exception.

Excise.

I. Stat. 12 Car. 2. cap. 23. There shall be paid to the Maker of his Life the Impositions following, *viz.*

1. For every Barrel of Beer or Ale above 6 s. the Barrel, to be paid by any that sell the same, to be paid by the Brewer,

2. For every such Barrel of 6 s. or under,

3. For every Hoghead of Cyder and Perry sold by Retail, to be paid by the Retailer,

4. For every Gallon of Methuggin or Mead sold by Retail, or otherwise, to be paid by the Maker,

5. For a Barrel of Vineger-beer brew'd by a common Brewer,

6. For a Gallon of Strong-water or *Aqua-vita*, to be paid by the Maker,

7. For a Barrel of Beer or Ale Imported from beyond Seas,

8. For a Tun of Cyder or Perry Imported,

9. For a Gallon of Spirits made of Wine or Cyder Imported,

10. For a Gallon of Strong-water Imported,

11. For a Gallon of Coffee to be paid by the Maker,

12. For a Gallon of Chocolate, Sherbet, and Tea, to be paid proportionably for greater or lesser quantities.

II. The said Duties hereby set on Foreign Liquors Imported shall be paid by the Merchant-Importer in ready Money, upon the Try made and before Landing.

III. Common Brewers of Beer and Ale shall once a week pay to the Retailers of Beer, Ale, Cyder, Perry, Methuggin, or Strong-water,

once a month make true Entries at the Office of Excise of all the Liquors aforesaid which they Brew or Retail: in default whereof Common Brewers shall forfeit $\text{5} \text{ l.}$ Inn-keepers $\text{5} \text{ l.}$ other Retailers $\text{20} \text{ s.}$ Common Brewers not clearing within a week, and Retailers within a month after they make or ought to make Entries, shall pay double the Duty. But none living in a Market-Town, shall be compelled to Travel out, nor living out of one, to Travel any other Place than the next Market-Town in the same County on the Market-day, to make such Entries and Payment.

IV. The Commissioners and Sub-Commissioners may under their Hands and Seals constitute Gaugers, who may by day, or in the presence of a Constable or other Officer by night, enter into any places belonging to Brewers, Victuallers, Distillers of the Liquors aforesaid, and gage Coppers and Vessels, and take an account of the said Liquors: and make return thereof to the Commissioners, or Sub-Commissioners, &c. leaving a Copy thereof under their Hands with the said Brewers, &c. such returns to be a Charge on the said Brewers, &c. Brewers, &c. refusing to permit the Gaugers to enter, shall be forbidden by them to sell the said Liquors, and if they sell after such warning, or deliver out any the said Liquors, not having cleared the Duty, they shall lose $\text{5} \text{ l.}$ beside the double value.

V. Thirty six Gallons of Beer go to a Barrel, and 32 Gallons of Ale to a Barrel of Ale, and the other Liquors aforesaid according to Wine-gallon. Brewers and Retailers of Beer and Ale shall sell at the usual rates: saving that common Brewers may receive the Duty due over and above.

VI. Common Brewers, not selling by retail, shall be allowed for Stewage and Leakage, upon 22 Barrels of Beer, 3 Barrels: upon 22 Ale, 2 Barrels: which Allowances in case of false Entries, and Addition thereof before two of the Commissioners, shall be forfeited for 6 months.

VII. No Beer or Ale shall be delivered by the Brewer to the Retailer till he be paid the Excise over and above the Price.

VIII. Persons Brewing and Retailing small quantities of Beer and Ale, and who are not usual Brewers and Retailers thereof, paying the Excise, shall be discharged from all the Penalties in this Act for so much and no more.

IX. The Commissioners and Sub-Commissioners may compound the Duty with Retailers. And the Lord-Treasurer or Commissioners of the Treasury may Farm the Duties upon all the Liquors aforesaid, not exceeding the term of three years.

X. Offences against this Act within the Limits of the chief Office, or any part of them, shall be determined by the said chief Commissioners, or any part of them, or by the Commissioners for Appeals, or any part of them in case of Appeal; and Offences committed elsewhere by two or more Justices of the Peace near the Place where the Offence shall be committed, or, in case of refusal or neglect of them

by the space of 14 days after complaint, and notice to the Officer by the Sub-Commissioners, or major part of them: the Party by the Judgment given by the Sub-Commissioners, may appeal to the Quarter-Sessions, whose Judgment shall be final. All Commissioners and Justices of Peace, &c. upon appearance or default of the Party accused upon Summons, may examine the Matter, and upon proof by Confession, or Oath of one Witness, may give Sentence, and issue Warrants for Levying the Forfeiture, Distress and Sale of Goods, if not redeemed within 14 days, or want of Distress to Imprison till Satisfaction: and at their discretion may lessen the Forfeiture, so as by such mitigation it be not more than double the Excise due, besides Costs and Charges; the fourths of all which Forfeitures to the King, the other fourths to the Informer. One principal Head-Office shall be in London, or within 10 miles of it, as long as the King shall think fit, to which all Offices shall be accountable: the Officers whereof shall be appointed by the King, who, or any two of them, are hereby constituted Commissioners for the management of the Kings Receipt of the Excise.

XI. None shall meddle with any Office relating to the Excise, till they have taken the Oaths of Allegiance and Supremacy before the Justices of Peace of the County where such Office is, or one of the Justices of the Exchequer, and this Oath *mutatis mutandis*;

You shall swear to execute the Office of truly and faithfully *without favour or affection, and shall from time to time* fully *without favour or affection, and shall from time to time* *compt make and deliver to such Person and Persons as his Majesty* *compt make and deliver to such Person and Persons as his Majesty* *appoint to receive the same, and shall take no Fee or Reward for the* *appoint to receive the same, and shall take no Fee or Reward for the* *execution of the said Office, from any other Person than from his Majesty* *execution of the said Office, from any other Person than from his Majesty* *those whom his Majesty shall appoint in that behalf. The* *those whom his Majesty shall appoint in that behalf. The* *which Oath the Justices of Peace shall certify to the next* *which Oath the Justices of Peace shall certify to the next* *Sessions there to be Recorded.*

XII. All Places within the weekly Bills of Mortality, shall be under the Inspection of the Head-Office. Subordinate Commissioners for other Places shall be appointed by the King. The Bills shall be kept open from eight in the morning to 12 at noon, and from two in the afternoon to five. The chief Commissioners shall pay what they receive from time to time into the Exchequer.

XIII. Persons sued for acting in pursuance of this Law, shall not be answerable to the General Issue. And if a Verdict pass for the Defendant, the Plaintiff be Non-suit, the Defendant shall have double Costs.

XIV. No Writ of *Certiorari* shall supersede Proceedings in pursuance of any Order by the Justices of Peace in pursuance of this Act confirmed 13 Car. 2. cap. 7.

XV. Stat. 12 Car. 2. cap. 24. There shall be paid to the Heirs and Successors in recompence for the Profits of the Office of Wards and Purveyance, the Impositions hereafter made, which are the same verbatim with those in cap. 23. supra. *Alit is here repeated word for word.* Confirmed 13 Car. 2. cap. 7.

XVI. Stat. 15 Car. 2. cap. 11. No Brewer or Retailer

without giving notice at the next Office of Excise, or to any of the Commissioners, Farmers, or Sub-Commissioners within the Limits of whose Office he inhabits, shall fit up, alter or improve any Tun, Fatt, Back, Cooler or Copper, and use them for making Beer or Ale, or Worts, or keep any private Store-house for storing such Liquors in Cask, on pain to forfeit 50 *l.* for every Tun, &c. and they, in whose occupation any House, &c. is, in which such concealed Tun, &c. shall be discovered, shall forfeit 50 *l.* and such concealed Tun, so discovered or altered, with all Beer, Ale, or Worts therein, may be seized and delivered to the Trustees of the Poor, to be sold for the Poores use, or be distributed amongst them.

XVII. No Commissioners for regulating the Excise shall Farm it, nor shall Farmers of the same act as Commissioners, on pain of being disabled for ever to be either Farmers or Commissioners. Acts made by such shall be void in Law, and Persons molested by their Authority may bring their Actions, and recover Damages against them. And Letters Patents enabling Farmers to be Commissioners or Sub-Commissioners, shall be void in Law. *Vid. inf. Stat. XL.*

XVIII. Gagers of the Excise shall weekly after the Brewer hath, ought to have made his Entry, deliver at his House a Copy of such Return as they have made thereof to the Commissioners, on pain to forfeit 40 *s.* No Brewer shall be prosecuted for any Mistake or short Entry, if within a week after delivery of such Copy, he certify his Entry according to the said Return, or otherwise discharge himself.

XIX. As oft as occasion shall be, two able Artists shall be appointed, one by the Commissioners or Farmers, &c. and one by the Brewers of any City or Place, who shall take Oath before a Justice to compute the Contents and Gage of all Brewing Vessels, and deliver one Copy thereof to the Commissioners, Farmers, &c. and another to every Brewer. Such computation shall be according to the Measures exprest in the former Acts for Excise.

XX. No Commissioner, Farmer, Brewer or Inn-keeper, shall sue as a Justice of Peace any Laws concerning the Excise; if they do, their Acts shall be void.

XXI. The Commissioners, Farmers and Sub-Commissioners in every County, shall depute under Hand and Seal Persons in each Market-Town, to perform all things touching the said Duty, which (and the Place where they intend to hold their Office) before the next Market-day published, shall attend on every Market-day 9 in the morning till 12 at noon, and from 2 till 5 in the afternoon, on pain to forfeit 10 *l.* half to the King, half to the Poor. Such as come to make Entry and Payment, and tender the same according to the said Acts, and can prove such tender by one Oath, shall be liable to no Forfeiture.

XXII. No Brewer shall deliver or carry out Beer or Ale to his Shop or Cellar in any City, Town-Corporate, or Market-Town, before giving notice

notice given to an Officer of Excise, but between 3 a clock in the morning and 9 in the evening, from the 25th of March to the 25th of September, and between 5 in the morning and 7 in the evening from the 29th of September to the 25th of March, on pain to forfeit 20 s. for every Barrel so carried out.

XXIII. If any Brewer or Retailer, after account taken by the Gauger of his Beer and Ale, &c. convert small Beer or small Worts into strong Beer or Ale and deliver out the same without giving notice to the Gauger, or conceal any Beer, Ale or Worts, in the view of the Gauger, he shall forfeit for every Barrel 20 s.

XXIV. Utensils for Brewing into whose hands soever they come are hereby charged with all the Duties of Excise owing by any Beer or Ale made in the said Brew-house, and all Forfeitures incurred for any Offence against the Statute for Excise.

XXV. No Brewer or other, who shall compound for his Excise shall Brew, or suffer to be Brewed within his Brew-house for any other Brewer, any Beer or Ale, without giving notice thereof to the Commissioners, Farmers, or Sub-Commissioners, and paying the Excise, on pain that both he that Brews, and he for whom Brewed, shall forfeit for every Barrel 5 l. half to the King and half to the Informer.

XXVI. None shall sell or Retail Coffee, Chocolate, Sugar or Tea, without Licence from the General Sessions of the Peace in the respective Counties, Certificate being first shewed that they have given good Security for payment of their Dues, (for which Licence, Security and Recognisance but 12 d. shall be given) on pain to forfeit 5 l. a month.

XXVII. No Brewer or other shall bribe any Gauger or other Officer, nor they take any Bribe, on pain to forfeit 10 l. which forfeitures shall be proved by two Witnesses before two Justices of the Peace or chief Magistrate of the Place where committed; the Penalty shall be Levied by Distress and Sale of Goods by Warrant under the Hands and Seals, and for want of such Distress, the Offenders shall be Committed 3 months.

XXVIII. No Imported Liquors shall be Landed before the Duty is made, or the Duty paid. And every Warrant for Landing of Liquors shall be Signed by the Officer of the Excise for the Place where, &c. and all such Liquors otherwise Landed, or without the presence of an Officer, or the value of such Liquors, shall be forfeited, half to the King, and half to him that will seize or sue for the same.

XXIX. No Persons Importing Exciseable Liquors, other than Beer, Ale, Cyder, Perry and Metheglin, nor any to whom they are consigned, shall Land them without making due Entry, on pain to forfeit double the value.

XXX. No Appeal in any Cause of Excise shall be admitted until the Apellant have deposited the single Duty in the hands of the Commissioners, &c. and given Security to the Commissioners of the same.

or, for all such Penalty as was adjudged against him. If the Judgment be reversed, the single Duty, or so much as shall be adjudged shall be restored, and the Party originally Prosecuting, shall pay double Costs: if affirmed, the Appellant shall pay like Costs.

XXXI. All Persons making Beer to convert into Vinegar for sale, shall pay for every Barrel of such Vinegar-Beer, as common Brewers do.

XXXII. Colledges and Halls in either University, which before the Duty of Excise imposed, did Brew their own Beer and Ale, shall pay no Excise.

XXXIII. Differences and Appeals concerning the Excise shall be determined in the proper Counties, or the several Ridings and Divisions of *Yorkshire* and *Lincolnshire*.

XXXIV. No Officer of Excise shall take any Fee for any Bond Recd, or Note, on pain to forfeit 10 s.

XXXV. The Justices of Peace or two of them, or chief Magistrates in the several Counties, Cities and Places, shall meet once a month or oftner, to determine all Matters and Offences against this Act.

XXXVI. One third part of all Forfeitures not herein otherwise disposed, shall be to the King: another third to the Poor of the Parish, where the Offence shall be committed; the other third to the Informer: and all Fines and Forfeitures, for which no remedy is obtained for the recovery thereof by this Act, shall be recovered by Action of Debt, Bill, &c. in any Court of Record, or as by the former Act is directed.

XXXVII. No Appeal within the Limits of the chief Office of London shall be admitted, that is not brought within 2 months, nor elsewhere, that is not brought within 4 months after the first Judgment, and notice given or left at the House of the Party concerned therein.

XXXVIII. No person shall be employed in the Farming, Collecting or taking Accounts for the Duty of Excise till he have taken the Oaths appointed by 12 Car. 2. cap. 23. before the persons thereby appointed, and have entred his Certificate for taking them with the Auditor for Excise, on pain of 50 l. for every month he shall be so employed.

XXXIX. Stat. 15 Car. 2. cap. 12. Where the Commissioners for the time being have issued Summons, which hath been left at the house, or with the Wife, Child, or Servant of any Person chargeable, it shall be deemed a good Summons.

XL. Stat. 16 & 17 Car. 2. cap. 4. Farmers of Excise may exercise such Powers and Authorities, as Commissioners and Sub-commissioners may, except the Judicial part of their Office.

XLI. Stat. 22 Car. 2. cap. 4. Brandy was and is charged by the Acts of 12 Car. 2. cap. 23 & 24. with the Duty of 8 d. per Gallon imposed upon Strong-water, and not with the Duty of 4 d. per Gallon only, Imposed upon Spirits made of Wine or Cyder Imported.

XLII. Stat. 22 & 23 Car. 2. cap. 5. An Act for an Addition to the Excise upon Beer, Ale, and other Liquors. *Expired.*

XLIII. Stat. 29 Car. 2. cap. 2. From the 24th of June 1697, there shall be paid to the King during three years, for the Duties hereafter expressed, besides other Impositions by way of Tax, the Duties following, *viz.* For a Barrel of Beer or Ale of above the Barrel, Brewed to sell, 9 d. for a Barrel of 6 s. or under, 3 d. For Cyder and Perry sold by retail, upon every Hoghead, to be paid by the Retailer, 1 s. 3 d. For Metheglin or Mead, sold by retail or otherwise, to be paid by the Maker, for every Gallon, half-penny. For a Barrel of Vinegar-Beer, made to be sold, 1 s. For a Gallon of Strong-water, to be paid by the Maker, 1 d. For a Barrel of Beer or Ale Imported, to be paid before Landing, 1 s. For a Tun of Cyder or Perry Imported, 4 l. For a Gallon of Lo wines of the first Extraction, made of any Materials Imported, 1 s. For a Gallon of Coffee, to be paid by the Maker, 2 d. For a Gallon of Chocolate, Sherbet, and Tea, 8 d.

XLIV. Which said Duties shall be Levied in such manner as is under such Penalties as are expressed in the Stat. of 22 & 23 Car. 2. cap. 5. By which it was Enacted, That all persons chargeable with the payment of Excise by any former Law, should be charged with the payment of the Duties by that Act imposed in the same manner, and in case of neglect, or default of Entry or Payment, &c. to incur the same Penalties as they ought to have incurred for the non-payment of any former Duty of Excise.

XLV. Gaugers that gauge Beer, Ale, Mum or Worts of any Persons chargeable by this Act, shall leave with such Persons or their Servants, a Note of the Gauge, with the Day of the Month, and how many Gallons such Person is by him charged with.

XLVI. That the King may raise 200000 l. upon Credit, the Commissioners and Governours of Excise at the Head-Office in London shall keep apart from other Moneys received for Excise one full part of the whole Receipt; of which payments of the said sum the Auditor and Controller, or their Deputies, shall keep a distinct Account; and the Commissioners and Governours of the said Excise shall pay from time to time such Moneys so set apart, into the Exchequer.

XLVII. And there shall be kept in the Exchequer at the Office of the Auditor of the Receipt, one Register, in which such Moneys shall be Entred apart: and one other Book of all Warrants by the Lord-Treasurer, and Under-Treasurer, or by the Commissioners of the Treasury for payment of all Sums to all Persons for Moneys lent: and the like Book kept by the said Auditor of all Moneys issued by vertue of such Warrants.

XLVIII. Persons willing to lend Money on the Credit of the Act, when the Head-Office of Excise at London shall be open, shall peruse the said Books: to whom the Auditor and Controller of the Excise, and the Auditor of the Receipt, and their Clerks, shall be assistant for their better satisfaction.

Excommunication.

XLIX. They that shall lend the King Moneys, and pay it into the Receit of the Exchequer, shall have a Tally struck for it, and an Order for their repayment, bearing date with the Tally, in which shall also be a Warrant for Interest at Seven *per cent.* by Quarterly Payments, till repayment of the Principal. And all Orders for repayment of Moneys lent, shall be Registered in course according to the date of the Tallies.

L. And all Persons shall be paid in course as their Orders stand Entred.

LI. No Fee shall be taken for providing such Books, Registers, Entries, View, Search or other thing concerning the payment of Money lent, or Interest thereof, on pain to pay treble Damages to the Party grieved, and Costs of Suit.

LII. Commissioners of Excise neglecting to pay in the said Money as they are required, and Officers in Person taking or demanding any Fee shall lose their Places.

LIII. If any undue Preference be made in point of Registering, the Party offending, by Action of Debt or on the Case, shall pay treble the Debt, Damages and Costs to the Party grieved, and be fore-judged his Place.

LIV. If the Writer of the Tallies or Auditor shall not direct the Order, or the Clerk of the Pells Record, or the Teller pay according to each Persons Order, they shall forfeit their Places.

LV. The respective Deputies and Clerks herein offending, shall be liable to such Action, Debt, Damages and Costs as aforesaid.

LVI. All which Forfeitures may be recovered by Action of Debt, Bill, Plaint or Information in any Court of Record at *westminster*.

LVII. If several Tallies of Loan by Orders for Payments be brought the same day to the Auditor of the Receit, it shall be no undue Preference which he Enters first, so he Enter them all the same day.

LVIII. Nor shall it be any undue Preference to pay subsequent Orders to Persons demanding their Money, before others not demanding theirs, so as there be so much reserved as will satisfie such Orders, which shall be kept for them: Interest being to cease from the time the Money is kept in Bank for them.

LIX. The benefit of such Warrants, by Endorsement thereupon, may be assigned, being notified in the said Auditors Office, and Entred there: which the Officers shall do without Fee or Charge. And they that have made such Assignments shall not have power to discharge the Moneys thereby due.

Excommunication.

L. Sententia lata super Chartas 38 H. 3. Vide Rast. Excom. 1. In the year 1254. by the consent, and in the presence of the King, the Lords and other Estates of the Realm, Boniface Archbishop of Canterbury,

Excommunicato capiendo.

Canterbury, and all the other Bishops then present, being apparelled in Pontificals with Tapers burning, do in *Westminster-Hall* solemnly denounce a heavy Curse and Excommunication against all such as shall violate or break the Liberties of the Church, or Customs and Liberties of the Realm, and especially contained in *Magna Charta*, and *Charta de Foresta*.

II. Artic. Cleri 7. 9 E. 2. The Kings Letters, that Ordinaries shall Absolve Excommunicate Persons, shall not issue forth any more, unless it be found that the Kings Liberty is prejudiced by such Excommunication.

III. Articuli Cleri 12. 9 E. 2. The Writ of *Excommunicato capiendo* shall not be denied for the Priviledge of being of the Kings Tenure, and that the Party ought not to be cited out of his Parish.

IV. Stat. 9 E. 3. Writs are ordained for the Bishops to Excommunicate all Perturbers of the Peace of the Church and King, Felons, Maintainers and Conspirators of Felonies, false Jurors, and Maintainers of false Quarrels, every Sunday and double Feast, &c. in all Cathedral and other Churches, and to proceed against them according to the Canon Laws. *Vide Rast. Abridgm.*

Excommunicato capiendo.

I. Stat. 5 Eliz. 23. Every Writ *De Excommunicato capiendo* shall be made in Term-time, and returnable in the Kings Bench the next Term after the *Teste* thereof, having 20 days betwixt the *Teste* and Return.

II. After the Writ shall be Sealed, it shall be forthwith brought into the Kings Bench, and there opened and delivered of Record to the Sheriff or other Officer, or other Deputies to whom the Execution thereof appertains; and then if the Sheriff or other Officer do not duly execute it, the Justices there shall Amerce him at their discretion, and Estreat the Amerciament into the Exchequer.

III. At the return of the Writ, the Sheriff or, &c. shall not be compelled to bring the Party Arrested in the Kings Bench, but only return the Writ with a short declaration how it was executed, to the end the Justices may proceed therein according to the honour of this Act.

IV. If the Sheriff or, &c. return a *Non est inventus*, then shall issue out of the Kings Bench a *Capias* returnable in Term-time 4 months (at least) after the *Teste* thereof, with a Proclamation made 10 days (at least) before the return at the County Court, Assize, Gaol-delivery or Sessions, that the Party shall within six days after such Proclamation yield his Body to the Gaol, and there remain as a Prisoner, in pain of 10 l. And what shall be done therein, and thereupon, shall be returned by the Sheriff or, &c.

V. If upon the return it appear that the Party hath not rendered himself Prisoner upon the first *Capias*, he shall forfeit 10 l. more.

be Estreated as aforesaid, and then a second *Capias* shall be Awarded against him, with Proclamation as before, and a pain to forfeit 20 l. whereupon if he do not render himself Prisoner, he shall forfeit 20 l. to be Estreated by the Justices as aforesaid; and then a third *Capias* shall be Awarded, with like Proclamation and Pain; and then a fourth, and so infinitely, until he render himself Prisoner, upon the several returns whereof he shall forfeit 20 l. to be Estreated as aforesaid.

VI. The Party yielding, his Body shall be committed to Prison in like sort as if he had been taken upon the *Excom. cap.*

VII. If the Sheriff, &c. makes a false Return upon any of the said Writs, he shall forfeit to the Party grieved 40 l.

VIII. The Bishops Authority to receive Submission, and deliver the Excommunicate, is saved, according to the former usage, viz. by a Certificate thereof into the Chancery from the Bishop, and then a Writ from thence to deliver the Prisoner.

IX. In Wales, the Countie's Palatine of Lancaster, Chester, Durham, and Ely, and in the Cinque-Ports, (being Jurisdictions exempt, where the Queens Writ runneth not) a *Significavit* (being on Record in Chancery) shall be sent by *Mittimus* to the Justices or Head Officers there, who shall then proceed against the Excommunicate as the Kings-Bench is above directed.

X. Persons in Prison, beyond Sea, under Age, of *non sane* Memory, or Covert, shall not incur the Penalties aforesaid.

XI. If in the *Excom. cap.* the Excommunicate have not a sufficient Addition, according to the Statute of 1 H. 5. 5. or if in the *Significavit* it be not contained, that the Excommunication proceeds upon some Cause or Content of some original matter of Heresie, refusing to have his Child Baptized, to receive the Sacrament, to come to Divine Service, or Error in matters of Religion or Doctrine, Incontinency, Usury, Simony, Perjury in the Ecclesiastical Court, or Idolatry, he shall not incur the Penalties aforesaid.

XII. If the Addition be with a *Nuper* of a Place, the first *Capias* and Proclamation shall issue forth without any Penalty; and in such case also, if the party be proclaimed in a County where he is not for the most part resident, he shall not incur the Forfeitures aforesaid.

Execution.

I. *Wilest. 2. 18. 13 E. 1.* He that recovereth a Debt or Damages in the Kings Court, may at his choice have a *Fieri facias* of the Land and Chattels of the Debtor, or a Writ for the Sheriff to deliver him all the Chattels of the Debtor, (except Oxen and Plough-Beasts) and the moiety of his Land, by a reasonable Extent, till the Debt be Levied: and if he be ejected out of the Land, he shall have an Assise, and afterward a Writ of Disseisin if need be. And this last Writ is called an *Elegit*.

II. *Wilest.*

Execution.

II. *Stat. 2. 45. 13 E. 1.* For all things Recorded before Kings Justices, or contained in Fines, (whether Contracts, Covenants, Obligations, Services, for Customs acknowledged, or any other things Enrolled) a Writ of Execution shall be within the year, but after the year a *Scire facias*; whereupon if Satisfaction be not made, or good cause shewed, the Sheriff shall be commanded to do Execution.

III. In like manner also shall the Ordinary be commanded in his case. Howbeit as concerning a Mesne, which by Recognizance or Judgment is bound to acquit, what is said before (which see in Mesne I.) must be observed.

IV. *Stat. 32 H. 8. 5.* If Lands delivered in Execution on judgment be recovered without fraud from the Tenant in Execution before he shall have Levied or received his whole Debt and Damages, he may have a *Scire facias* out of the Court from whence he had the Execution, returnable into the same Court at a day (40 days at least) after the date of such *Scire facias*; at which day if the Defendant, being lawfully warned, make default, or do appear, and do not plead a sufficient cause (other than the former acceptance of the Lands) to avoid the said Suit for the residue of the said Debt and Damages, the said Court shall issue forth a new Writ of Execution for the Levying thereof.

V. *Stat. 1 Jac. 13.* If any taken in Execution be delivered by Privilege of Parliament, as soon as such Privilege ceaseth, the Plaintiff, his Executors or Administrators, may sue out a new Execution against him; and the Sheriff or other Officer, shall not be chargeable for the first Arrest.

VI. This Act shall not lessen the punishment of any, by censure of Parliament, who shall presume to procure such an Arrest.

VII. *Stat. 3 Jac. 8.* No Execution shall be stayed upon any Writ of Error or *Superedeas* thereupon, for the reversing of a Judgment in any Action of Debt, or upon any Contract, in the Courts at *Westminster*, of the Counties Palatine of *Lancaster*, *Chester*, or *Durham*, or of the great Sessions in *Wales*, unless the said Plaintiff, with two sufficient Sureties, (such as the Court shall like of) shall first be bound to the party (for whom such Judgment is given) by Recognizance in the same Court, in double the Sum adjudged, to prosecute the said Writ of Error with effect, and to pay (if the Judgment be affirmed) all Debts, Damages and Costs so adjudged, and all Costs and Damages for delaying of Execution by the Writ of Error.

VIII. *Stat. 21 Jac. 24.* The party or parties at whose Suit any person shall stand charged in Execution for Debts or Damages recovered, their Executors or Administrators, may, after the death of the person so charged in Execution, lawfully sue forth new Execution against the Lands and Tenements, Goods and Chattels, of the person so deceased, in like manner as if the person deceased had never been taken in Execution. Howbeit, this Act shall not extend to Lands sold *bona fide* (after the Judgment given) when the Money

Execution of Statutes.

raised thereupon is paid, or secured to be paid, to Creditors in discharge of due Debts.

IX. 13 Car. 2. Stat. 2. cap. 2. No Execution shall be stayed in any of the Courts mentioned in 3 Jac. cap. 8. by Writ of Error or *Superfetas* thereon, after Verdict and Judgment thereupon in any Action of Debt upon 2 Ed. 6. for not setting out Tythes, Action upon the Case, upon promise for payment of Money, Action sur Trover, Covenant, Detinue and Trespas, unless such Recognisance as by the said Act is directed, be first acknowledged.

X. Stat. 16 & 17 Car. 2. cap. 8. No Execution shall be stayed in the Kings Courts at *westminster*, Courts of Record in the Counties Palatine of Lancaster, Chester or Durham, or of the great Sessions in any the 12 Shires of *wales*, by Writ of Error after a Verdict and Judgment thereupon in any personal Action, unless a Recognisance according to 3 Jac. cap. 8. be first acknowledged. Nor shall Execution be stayed by Writs of Error upon any Judgment after Verdict in Dower or *Ejections firme*, unless the Plaintiff in such Writ of Error become bound to the Defendant in such Sum as the Court to whom the Writ is directed shall think fit, that if the Judgment be affirmed, or the Writ discontinued in his Default, or he be Non-suit, he will pay such Damages and Sums of Money (to ascertain which a Writ of Enquiry shall issue to enquire of the mean Profits and Damages by Waste done after the first Judgment) as shall be Awarded, and Costs of Suit.

XI. Writs of Error brought by Executors and Administrators, Actions on Penal Laws (except on 2 Ed. 6. for not setting out Tythes) Indictments, Presentments, Informations and Appeals excepted.

XII. This Act shall continue for three years, and to the end of the next Session of Parliament after.

XIII. Made perpetual Stat. 22 & 23 Car. 2. cap. 4.

Execution of Statutes.

I. Stat. 3 H. 7. 1. The Lord Chancellor, Treasurer, or Privy Seal, or any two of them, calling to them a Bishop, a Lord of the Council, and the two chief Justices, (or two other Justices in their absence) upon Bill of Information put to the Chancellor for the King or any other, for Maintenance, Retainers, Embraceries, untrue demeanings of Sheriffs, taking of Money by Juries, great Riots, or unlawful Assemblies, have Authority to call before them by Writ or Privy Seal the said Misdoers, and them, and others to examine, and to punish them according to the Statutes in that behalf made, in like manner as if they were convicted by due order of Law.

II. Stat. 21 H. 8. 90. The President of the Kings Council shall be associate with the Lord-Chancellor, &c. for the examination and punishment of the Misdoers aforesaid, according to the said Statute of 3 H. 7. 1. and other Statutes thereof made.

Executors.

Executors.

I. *Wile. 2. 23. 13. E. 1.* Executors shall have a Writ of *compt*, and like Action and Process in the same Writ as their Testator should, if he had lived.

II. *Stat. 4 E. 3. 7.* Executors shall have an Action for a Trespass done to their Testator, as for his Goods and Chattels carried away in his life, and shall recover their Damage in like manner as he whose Executors they are or should have done, if he had lived.

III. *Stat. 9 E. 3. Stat. 1. 3.* In a Writ of Debt brought against Executors, they shall have but one Essoin amongst them all before Appearance, and another after, so that they shall not Fourn by Essoin.

IV. Here, though the Sheriff upon the Summons return *Nihil*, yet an Attachment shall be Awarded, and upon *Nihil* also returned thereupon, the great Distress, and then he or they that appear, shall answer.

V. Albeit some of them after Appearance make Default at the return of the great Distress, yet shall he or they be put to answer that first appeared at the great Distress so returned.

VI. If Judgment pass for the Plaintiff, he shall have Judgment and Execution against them that have Pleaded, and against all others named in the Writ, of the Testators Goods, as well as if they had all Pleaded.

VII. Any may sue in this case according to the Law formerly used, (if he please) notwithstanding this Statute.

VIII. *25 E. 3. Stat. 5. 5.* Executors of Executors shall have Actions of Debt, Account, and of Goods carried away of the first Testators, and Execution of Statute-Merchants and Recognisances made unto him, and shall also answer to others so far forth as they shall recover of the first Testators Goods, as the first Executors should have done.

IX. *Stat. 33 H. 6. 1.* Where Servants after the death of their Lords or Masters do imbezil their Goods, after full information thereof made to the Lord-Chancellor by the Executors or two of them, of such spoil made, the said Lord-Chancellor, by advice of the two chief Justices and chief Baron, or two of them, shall have power to make such Writs to be directed to such Sheriffs as to them shall seem fit, to make Proclamation in such Places, within 15 days after delivery of the said Writs, as to the said Chancellor by advice aforesaid shall seem reasonable, that the Offender appear at the Kings-Bench at the day limited in the Writ; which Proclamation shall be made 15 days before the day of Appearance, where the Offender appear not, he shall be Attainted of Felony.

X. If the party appear, the Justices shall commit him to Prison, there to remain until he hath answered the Executors in their Actions, and the same Actions be determined; provided that they be pursued with effect, and not slackly.

XI. The Offender may be Bailed by the Justices of that Bench, procuring two sufficient persons to be bound with them to the Executors by Recognizance in the same Court, to keep such day as he shall have by the same Court.

XII. The Gaoler shall not let them go at liberty without the Justices Order, in pain of 40 l.

XIII. Stat. 21 H. 8. 4. That part of the Executors which take upon them the charge of a Will, may sell any Land devised by the Testator to be sold, albeit the other part, which refuse, will not joyn with them.

XIV. Stat. 43 Eliz. 8. If any person shall obtain any Goods or Debts of an Intestate, or Releases or other Discharge of any Debt or Duty, (which belonged to the Intestate) by fraud, as by (procuring the Administration to be granted to a Stranger of mean Estate, and not to be found, with intent thereby to obtain the Intestates Estate) and not upon valuable Consideration, or in satisfaction of some just Debt answerable to the value of the Goods so obtained, in such case such person shall be chargeable as Executor of his own wrong, so far as the value of the Goods or Debts so obtained shall amount unto. Howbeit he shall also be allowed such reasonable Deductions as other Executors or Administrators ought to have.

XV. Stat. 30 Cap. 2. cap. 7. Executors and Administrators of any who as Executors, or Executors in their own wrong, or Administrators shall after the 1st of August 1678, waste or convert any Estate of any person deceased, to their own use, shall be chargeable as their Testator Intestate would have been, if living.

XVI. This Act shall continue three years, and from thence to the next Session of Parliament.

Exigent and Outlawry.

I Stat. 3 Hen. 1. c. 1. Where the Plaintiff recovers Damages, and the Defendant is thereupon Outlawed, no Pardon shall be granted, except the Chancellor be certified that the Plaintiff is satisfied his Damages.

II. Where one is Outlawed by Process before Appearance, no Pardon shall be granted, except the Chancellor be certified that the Outlawed hath yielded himself to Prison before the Justices of the Place from whence the Exigent issued.

III. If the Outlawry happen to be before the Justices of Oyer and Return, and those Justices be risen before he yield himself before the Justices of the Place, in that case he shall do it in the Kings Bench. And then the Writ of *Scire facias* shall issue.

issue to the Plaintiff to warn him to appear at a certain day, which if the Warning be duly executed, and the Plaintiff appear, then shall they Plead upon the first Original, as though no Outlawry had been; but if he come not, the Outlawed person shall be outlawed by his Charter. And note that all such Charters are of the Kings Grace, as before they have been.

IV. Stat. 5 E. 3. 13. If any will defeat an Outlawry by means of Imprisonment, testified by the Sheriff or others, having record, let the party yield himself to Prison, and then the Justice shall cause the Plaintiff to appear at a certain day, at which the Averment of such Outlawed person shall be received; and also shall the Kings Council or Prosecutor have their Averment against such Testimony.

V. Stat. 18 E. 3. Stat. 1. *Exigents* are to be Awarded against Receivers of the Kings Money or Wooll, which detain the same, and against such as Transport Wooll not Cocqueted or Customed, Confederators and Conspirators of Quarrels, Rioters, and such who bring in false Money, if they cannot be found, or brought in by attachment or Distress, and not against any other.

VI. Stat. 18 E. 3. Stat. 2. 5. No *Exigent* shall go forth against one Indicted for Trespass, unless it be against the Peace, or of the things contained in 18 E. 3. Stat. 1.

VII. Stat. 6 H. 8. 4. In personal Actions, if the Defendant is Sued in a County where he dwells not, and an *Exigent* Awarded thereupon, no Outlawry shall be had before a Writ of Proclamation be also Awarded, and returned by the Sheriff of the County where the Defendant is, or lately was dwelling; and if the Defendant does not appear in the Place where the Kings Writ runneth not, it shall be directed to the Sheriff of the County next adjoyning thereunto.

VIII. By this Writ the Sheriff shall make three Proclamations in three several days, viz. twice in full County, and once at the next Sessions, that the Defendant shall yield himself unto him, and shall have the same day of Return with the *Exigent*.

IX. This Writ shall be delivered of Record to the Sheriff or Deputy, who shall duly execute the same, in pain of Amercement, and the Officer that makes the *Exigent* shall also make the Writ of Proclamation, for which his Fee is 6 d.

X. All Outlawries otherwise obtained are null, and may be avoided by Averment, without Suing of any Writ of Error.

XI. Stat. 1 E. 6. 10. The Statute of 6 H. 8. 4. shall be observed in *Wales*, and in the County and City of *Chester*, as well as in other parts of the Realm of *England*.

XII. The Sheriffs of *Wales*, and of *Cheshire* and *Chester*, and their Deputies in the Kings-Bench and Common-Pleas, as others shall have, and upon like Penalties.

XIII. All Processes against any Outlawed persons in *Wales* shall be directed to the Sheriffs in *Wales*, as immediate Officers.

and Common-Pleas, and may be delivered of Record
to their said Deputies in Court, and shall be duly executed and re-
turned by those Sheriffs upon the pain above limited, who shall also
for a false or non-return forfeit 5 l. to be divided betwixt the King
and the Prosecutor.

XIV. This Act shall not infringe any Franchises and Liberties
in Wales, otherwise than by the true meaning thereof is provided :
Nor yet of any Lord-Marcher there, but that they and their Heirs
may enjoy the same Liberties as before.

XV. Stat. 5 & 6 E. 6. 26. The like Statute is made for the
County Palatine of Lancaster ; save onely that all Proceſs againſt
any Outlawed perſon there ſhall be firſt directed to the Chancellor
of that Duchy, who ſhall thereupon make like Writs and Proceſſes
to be Sealed with that Seal, and directed to the Sheriff of that
County Palatine, as heretofore hath been used.

XVI. Stat. 31 Eliz. 3. In every Action personal where an
Exigent shall be Awarded, a Writ of Proclamation shall be also A-
warded, and issue out of the same Court, of the same *Teste* and Re-
turn with the *Exigent*, and shall be delivered of Record, and direct-
ed to the Sheriff of the County where the Defendant at the time of
the *Exigent* was dwelling, and shall contain the effect of the same
Action.

XVII. The Sheriff shall thereupon make three Proclamations,
the one in a full County, another at the Sessions, and the last (one
month at least before *Quinto Exalt.* by virtue of the *Exigent*) at or
near the Church or Chappel-door of the Parish where the Defen-
dant was dwelling at the time of Awarding the same *Exigent*, upon
Sunday after Divine Service and Sermon, (or in case there be no
Sermon) after Divine Service : and if he dwell in no Parish, then
in the Parish next adjoining to his Place of abode : and all Out-
lawries otherwise had shall be void.

XVIII. The Officer for making the *Exigent* and Proclamations
shall take such Fees for the same as are limited by the Statute of
15 R. 2. 4. and the Sheriff for making the Proclamation at the
Church-door, shall have 1 s.

XIX. In real Actions after Summons upon the Land (14 days at
least before the return thereof) Proclamation of the Summons shall
be made upon a Sunday in form aforesaid, in the Parish where the
Land lies, which Proclamation shall be returned with the Name of
the Summoners.

XX. If the Summons be not so proclaimed, no *Grand Cape* shall
be Awarded, but an *Alias* and *Pluries* Summons, until a Summons
Proclamation be duly made according to this Act.

XXI. Before allowance of a Writ of Error, or reversing of an
Attainder by Plea or otherwise, the Defendant in the Original Action
shall put in Bail to appear and answer the Plaintiff, and also to
suffer the Condemnation, if the Plaintiff begin his Suit before the

end of two Terms next after the allowance of the said Writ
voiding the Outlawry.

✶ Extortion.

* I. *West.* 1. 26. 3 *E.* 1. No Sheriff or other Officer of the King shall take any Reward to do his Office, but shall be paid by the King: and if he do so, he shall render the double, and be punished at the Kings will.

II. *West.* 1. 27. 3 *E.* 1. Clerks shall not commit Extortion, in pain to lose the Service of their Master for one year.

III. *West.* 1. 29. 3 *E.* 1. Officers, Criers of Fee, and Marshals & Justices in Eyre, shall not commit Extortion, in pain to render the treble, and to be otherwise punished at the Kings will.

IV. *Stat.* 28 *H.* 6. 5. Merchants, being Distrained or Arrested by Officers of the Custom for undue Charges and Impositions, may have their general Actions of Trespas against such Offenders, and shall in that case recover 40 *l.* Damages, if they pursue their Actions within two months.

V. If they pursue them not within that time, any other may do it by Action of Trespas also, wherein they shall also recover 40 *l.* Damages, to be divided betwixt the King and such Prosecutor.

Fairs and Markets.

I. **T**he Statute of *Winchester*, cap. 6. 13 *E.* 1. Fairs and Markets shall not be kept in Church-yards.

II. *Stat.* 2 *E.* 3. 15. No person shall keep a Fair longer than is ought to do, in pain to have it seized into the Kings hand until he have made Fine for so doing.

III. Every Lord at the beginning of his Fair shall cry and publish how long it shall endure, in pain to be grievously punished.

IV. *Stat.* 5 *E.* 3. 5. Merchants after the Fair ended shall close their shops, and sell no Ware thereafter, in pain to forfeit to the King the double value of the Ware so sold, whereof the Prosecutor shall have a fourth part.

V. *Stat.* 27 *H.* 6. 5. Fairs and Markets shall not be kept on Ascension-day, Corpus Christi, Whitsunday, Trinity-Sunday, the Annunciation of the Virgin Mary, All-Saints, Good-Friday, nor any Sunday (the four Sundays in Harvest onely excepted) in pain to forfeit the Wares so shewed to the Lord of the Franchise there.

VI. Howbeit they may be kept within three days next before or after the said days, Proclamation thereof being made before the Lord of the Franchise, which is to be certified without Fine or Fee to the King.

by special Grant sufficient days before or after the said Fair may keep their full number.

VII. Stat. 17 E. 4. 2. No Steward of a Pipowder Court shall hold Plea upon any Action, unless the Plaintiff or his Attorney, in the presence of the Defendant, do first swear, that the matter of the declaration was done within the Jurisdiction and time of the Fair. And yet the Defendant may nevertheless profer an Issue against such oath: and if it be Tried, and the Plaintiff or his Attorney refuse to swear, the Defendant shall be discharged.

VIII. If any such Steward do contrary to this Act, he shall forfeit 5 l. to be divided betwixt the King and the Prosecutor.

IX. This Act shall not prejudice the Liberties of the Bishop of Exeter.

X. Stat. 1 R. 3. 6. The Statute of 17 E. 4. 2. is made perpetual.

XI. Stat. 3 H. 7. 9. Upon an Ordinance made by the City of London, to prohibit Citizens to carry their Wares to Fairs and Markets out of the City, this Act gives them Liberty, and makes that Ordinance void; and none shall trouble any Citizen for so doing, in pain of 40 l. to be divided betwixt the King and the Prosecutor.

XII. Stat. 2 & 3 P. & M. 7. Every Owner of a Fair or Market shall appoint a Toll-taker, (where Toll is taken) or a Book-keeper, (where no Toll is paid) to sit there from 10 of the Clock in the Forenoon till Sun-set, in pain of 40 s. for every Default.

XIII. The Toll-taker or Book-keeper shall (within one day after) deliver unto the said Owner a Note of all the Horses sold there that day, in pain of 40 s. which Note the Owner shall subscribe, in pain of 40 s.

XIV. Sale of a stolen Horse in a Fair or Market without Entry in the Book as aforesaid, and without staying there in open view by the space of an hour at least, betwixt 10 of the Clock and Sun-set, shall not alter the property of the right Owner, but that he may by virtue of this Act Seise or Replevy him wheresoever he find him.

XV. Justices of Peace in Sessions have power to hear and determine the breach of this Statute; and the Forfeitures shall be divided betwixt the King and Queens Majesties and the Prosecutor.

XVI. Where no Toll is due, the Book-keepers Fee for Entering any Contract, is 1 d. and no more.

XVII. Stat. 31 Eliz. 12. Every Seller or Exchanger of an Horse in a Fair or Market, which being unknown to the Toll-taker or Book-keeper, doth not procure one credible person, that is well known unto him, to vouch the sale of the same Horse, also every Voucher, and the Toll-taker or Book-keeper that suffers such Sale or Exchange to pass, shall forfeit 5 l. to be divided betwixt the King and the Prosecutor. And besides, the Sale of such Horse shall be void.

XVIII. The Names of the Buyer, Seller, and Voucher, and the Price of the Horse, shall be Entred in the Toll-Book, and a Voucher thereof delivered to the Buyer under the Toll-takers or Book-keepers Hand, for which the Buyer shall pay 2 d.

XIX. Justices of Peace in Sessions have power to Hear and determine these Offences.

XX. Notwithstanding such Sale and Voucher as aforesaid, the right Owner or his Executors may redeem a stolen Horse, if he claim him within 6 months after the Selling, at the Parish or Corporation where he shall find him, and make proof by two sufficient Witnesses before the next Justice of Peace in the County, or before the Head-Officer of a Corporation, that the Horse was his; and repay to the Buyer such Price for the Horse as the same buyer shall upon his own Oath before such Justice or Officer testify to be paid for him.

XXI. An Accessary of an Horse-stealer shall not have his Clergy.

False Judgment.

I. *Marthz. 20. 52 H. 3.* None but the King shall hold Plea of false Judgment.

II. *Stat. 1 E. 3. 4.* If against a Record brought into the King's Court by Writ of false Judgment, the party alledgeth that the Record is otherwise than the Court did Record the same, it shall be Tried by those of the Country who were present when the Record was made; but if they appear not upon the Sheriffs return of them with others, it may be Tried by other good Men of the County.

Fees.

I. *Test. 2. 42. 13 E. 1.* Several ancient Fees of Marshals, Chamberlains, Porters of Justices in Eyre, and Serjeants bearing Verdict before the Justices at *Westm.* See the Statute.

II. *Test. 2. 44. 13 E. 1.* Porters bearing Verdict before the Justices of the Bench in the Circuit, shall take for keeping a Jury 10 d. for the Bills, nothing; upon a recovery without a Jury nothing; upon a recovery against many by one Writ, 4 d. For damage done in the Bench they shall have their upper Garment. For great Assises, Attaints, Juries, and Battel waged, the Fee is 12 d. For the Pleas of the Crown, the Fee is 12 d. the dozen. For a Prisoner delivered, 4 d. The Chirographers Fee is 4 s. The Fee for writing Originals, is for every Writ 1 d. See the Statute.

Fee-Farm Rents.

I. Stat. 22 Car. 2. cap. 6. Letters Patents to be granted before the 24th of June 1672. under the Great Seal, the Seal of the Duchy of Lancaster, or of the County Palatine of Lancaster, of divers Fee-farm Rents, and other Rents of what kind soever, due to the King in right of his Crown, or in right of his Duchy of Lancaster, or parcel of the Duchy of Cornwall (except Quit-Rents, and Copy-hold Rents standing in charge as belonging to any Mannor, and all Tenths and First-fruits, and Rents *nominis decimæ*, payable by any Ecclesiastical Corporation, and all Rents incident to Reversions now in the King, and all Rents reserved upon Leases, and Farms of the Customs or Excise, made or to be made, and all Rents and Sums due in respect of Fire-hearths and Stoves) shall be good in the Law, for vesting the same in Trustees for the Sale thereof: and be construed most beneficially for the Patentees, any mis-naming, mis-recital, or non-recital of the Honours, Lands, &c. charged, or of any Estate Tail; or of the Reversion thereupon, not true naming of the Places where the said Honours, Lands, &c. do lie, or lack of the true naming of the Corporation, or lack of Attornment, or any mis-naming or not naming of the Tenants of the Lands charged, and other defects or Imperfections notwithstanding.

II. The said Trustees, and the Survivor or Survivors of them, shall execute to Purchasers, Indentures of Bargain and Sale, containing a Conveyance of the said Rents, and reciting the Consideration of Money paid, which shall be Enrolled in any of the four Courts at Westminster within 6 months after the date thereof.

III. Such Purchasers shall hold the same discharged of any breach of Trust, which may be pretended to be committed by the said Trustees, and may recover the same as the King might, excepting the Prerogative Process out of the Exchequer.

IV. Rents not usually paid by the greater space of 40 years last past, shall not be inserted in such Letters Patents. And Tenants shall hold their Lands discharged of any Rent reserved by virtue of any Patent of Concealment, or Commission of defective Titles, not usually paid by the greater space of 40 years, until the same shall have been recovered by due course of Law.

V. Purchasers of Rents reserved by any Letters Patents of Lands and Tenements, &c. and sold after the passing of this Act, shall enjoy them, any cancelling, avoidance or determination of such Letters Patents notwithstanding. This Act shall not be construed to void any Covenants or Agreements on the Kings part in the original Reservation of such Rents, nor Decrees in the Court of Augmentations, or Court of Exchequer, before the 23. of Octob. 1642. since 29. of May. 1660, whereby Fee-Farmers were to be discharged, and allowances out of the said Fee-Farm Rents to be made.

VI. Bodies Politick and Corporate may purchase the said Rents, notwithstanding the Statutes of *Mortmain* notwithstanding.

VII. This Act shall not extend to the Sale of any Rents arising within the Principality of *Wales*.

VIII. Instructions to be observed in the Sale of these Rents, so as the non-pursuance of them shall not weaken Purchasers Titles.

1. Contracts for Sales shall be Signed by the Lord-Treasurer, Commissioners of the Treasury, or two of them.

2. The Trustees shall Convey to such as by Order from the Lord-Treasurer or Commissioners of the Treasury, or two of them, shall be directed.

3. Every Contracter shall at or before Sealing his Conveyance pay one moiety at least of his Purchase-money into the Exchequer, and before he receives his Conveyance give such Security as the Lord-Treasurer or Commissioners, &c. shall approve, for the other moiety.

4. Such as pay down their whole Money, shall be allowed the present payment of their second moiety, not exceeding 10 per cent.

5. Immediate Tenants liable to pay any Rent, shall be preferred in the purchase of it before others, so as they tender themselves to the Lord-Treasurer or Commissioners of the Treasury, to Convey within 6 months after passing the said Patent, and notice thereof published by Proclamation, and perfect their Contract, and pay secure their Money within 6 months after, at such Rate as shall be agreed, not exceeding 20 years purchase.

6. The Purchaser may have his Conveyance in the Names of as many persons he shall desire.

7. If any Rent be charged with any Incumbrance, Consideration shall be had of it, and Reprize allowed, and the Purchaser shall be bound to take upon him such Incumbrance.

8. The Trustees shall hold the Rents to the Kings use till Sale.

9. The Trustees shall Covenant with Purchasers against their own Acts.

IX. Fee-Farmers of Mills formerly belonging to the Crown, and parcel of the Duchy of *Lancaster*, shall have the Protection and Privilege of the Courts of Exchequer and Duchy, and enjoy all former Priviledges and Advantages, notwithstanding such Sale.

X. So much as is due for any Uses out of the Premises to be charged upon Trustees, shall continue to be paid. And the Trustees are hereby authorised to Convey for performance of such Uses, and the said Fee-Farm Rents, &c. as shall amount to the Sum charged, after which Conveyance the Purchasers of the residue shall be charged thereof.

XI. Stat. 22 & 23 Car. 2. cap. 24. All Fee-Farm Rents Service, Rents Seck, Chauntry-Rents, Guild-Rents, Churchward-Rents, and others, within the Survey of the Exchequer.

Duchy of Lancaster, due to the King, in Possession, Reversion, or Remainder (other than such as are excepted out of 22 Car.2. cap.6.) are hereby vested in Francis Lord Hawley, Sir Charles Harbord, Sir William Haward, Sir John Talbot, Sir Robert Steward, and William Harbord, and their Heirs, as fully as if they had been granted to them by Letters Patents by virtue of the said Act, and shall be by them Conveyed according to the directions in the said Act mentioned, upon a Particular thereof made by the Auditor, &c. before whom they stand in charge.

XII. Purchasers of the said Rents granted by the recited Letters Patents, or intended to be vested in the said Trustees by these Presents, shall be indemnified from all Incumbrances by the said Trustees.

XIII. Till Sale of the said Rents, the Receivers of the Kings Revenue shall gather the same.

XIV. Purchasers by virtue of this Act, shall enjoy all the Advantages allowed to Purchasers by the former Act, and the shewing the Printed Copies of this and the former Act, and of the Conveyance, &c. shall be Evidence in any Court to Intitle the Purchaser.

XV. No Tenant in Tail of any the said Rents, shall be enabled by this Act to bar the Remainder, nor shall have greater power over the said Rent than he had before.

XVI. It shall be sufficient for the Purchasers of such Rents in every Suit, Avowry, Conusance, or Justification, where occasion shall be to set forth their Title, to alledge that Francis Lord Hawley, Sir Charles Harbord, &c. were seised in Fee, and so seised granted the same.

XVII. The Trustees may Convey the said Rents to Purchasers either by the words expressed in the Letters Patents, or by Particulars to be made by the Auditors, or by the Original Grants from the Crown, saving the Queens Right to the Rents hereby vested.

Feoffments.

1 Stat. 1 R. 2. 9. Every Gift of Feoffment of Lands made by and or Maintenance, shall be void, and the Disseisee (notwithstanding such Alienation) shall recover against the first Disseisor his Land and double Damages; provided he commence his Suit within a year after the Disseisin, and that such Feoffor be then Peror of the Profits.

1 Stat. 4 H. 4. 7. The Disseisee shall have his Action against the first Disseisor during the life of the same Disseisor, so as such Disseisor be also Peror of the Profits at the time of such Suit commenced: but as to other Writs in Plea of Land, the Demandant shall commence his Suit within the year against him that is Tenant of the Free-hold at the time of the Action accrued to him, so as

such Tenant be also Pernor of the Profits at the time of such commenced; notwithstanding the Stat. of 1 R. 2. 9.

III. Stat. 11 H. 6. 3. In all Writs grounded upon *Novel Disseisin*, Disseisees may have Recoveries against the Disseisors of their Feoffees, as well as in Assise of *Novel Disseisin*; so as such Disseisors or their Feoffees against whom the Writ is brought, be Pernors of the Profits at the time of the Writ purchased; notwithstanding any Gifts or Feoffments made to other persons to delay the Demandants.

☞ Felony.

I. *West.* 1. 12. 3 *E.* 1. Notorious Felons which refuse Lawd Trial, shall suffer strong and hard Imprisonment.

II. Stat. Of breaking Prison, 1 *E.* 2. It shall be Felony for any person to break Prison, being in for Felony, otherwise not.

III. Stat. 5 H. 4. 4. It is Felony to multiply Gold or Silver.

IV. Stat. 5 H. 4. 5. It is Felony maliciously to cut out the Tongue, or put out the Eyes of any of the Kings Subjects.

V. Stat. 1 H. 7. 7. If any shall hunt within the Forests, Parks or Warrens in the night-time, or disguised, one of the Kings Council, or a Justice of Peace to whom information thereof shall be made, shall by his Warrant cause the Offender to be brought before himself, or some other Councillor or Justice of Peace, to be examined: where if he conceal the Fact, such Hunting shall be deemed Felony; but being confessed, the Offence is onely Finable in the next general Sessions. And here a Rescous of the Execution of any such Warrant shall be also deemed Felony.

VI. Stat. 3 H. 7. 2. It is Felony to carry away a Woman, Wife, Widow, or Maid, against her will, having Lands or Goods, or being Weir apparent to her Ancestors; and the Procurators, Abettors, and Receivers in such an Offence, shall be also deemed principal Felons. Howbeit this shall not extend to any that takes a Woman, claiming her as his Ward or Bond-woman.

VII. Stat. 3 H. 7. 14. It is Felony for any of the Kings Servants sworn, to conspire the destroying of the King, any Lord, Privy Councillor sworn, Steward, Treasurer, or Controller of the Kings Household, being thereof convicted by 12 of the said Household before the said Steward, Treasurer and Controller, or two of them who have power to determine the matter according to Law.

VIII. Stat. 21 H. 8. 7. Servants that go away with, or otherwise imbezzle their Masters or Mistresses Goods, to the value of 100 l. worth, with an intent to steal them, (being put in trust thereunto) shall be punished as Felons: To continue till the next Parliament. *But see the Statute.*

IX. Stat. 22 H. 8. 11. It shall be Felony to break down any Dike in Marshland in Norfolk, or Oldfield-Dike by Marshland in the Isle of *Ely*.

FELONY.

X. Justices of Peace there have power to hear and determine the said Offences.

XI. Stat. 25 H. 8. 6. Buggery is made Felony, and the Offender therein shall not have his Clergy.

XII. Justices of Peace have power to enquire of, hear and determine this Offence.

XIII. This Statute was but to continue till the next Parliament. *Vide infra.*

XIV. Stat. 1 E. 6. 12. Wilful killing by poisoning shall be adjudged of Murther; and their Aiders, Abettors, Procurers and Councillors, shall suffer death, and forfeit as in cases of wilful Murther.

XV. All Offences made Felony by Statutes since 23. April 1 H. 8. not being Felony before, are Repealed. *Howbeit divers of them are revived by other Statutes made since that time.*

XVI. Stat. 1 M. Sess. 1. All Offences made Felony, or within the Case of *Præmunire*, by any Act since the first day of 21 H. 8. (not being Felony, or within the Case of *Præmunire* before) and every Branch of such Acts concerning the making of any Offence Felony, or within the Case of *Præmunire*, (not being so before) and all pain and Forfeitures concerning the same, are Repealed and made void. *But divers of these Acts have been since revived, which see in their proper places.*

XVII. Stat. 5 Eliz. 10. The Statute of 21 H. 8. 7. is revived and made perpetual.

XVIII. Stat. 5 Eliz. 12. The Statute of 21 H. 8. 6. is revived and made perpetual.

XIX. Stat. 43 Eliz. 13. In the Counties of *Cumberland, Northumberland, Westmorland*, and the Bishoprick of *Durham*, the carrying away or detaining of any person against his or her will, the assenting or aiding to any such taking or detaining, the receiving or carrying of *Black mail*, the giving of *Black mail* for protection, or the burning of Barns or Sacks of Grain, shall be adjudged Felony without Clergy, which the Justices of Assise, Gaol-delivery and Peace have power to hear and determine.

XX. The Names of persons Outlawed there for Felony shall be delivered by the Clerks of the Peace to all Sheriffs, Mayors and other Head-Officers, to be proclaimed throughout all the said Counties: and with them none shall have Converse, in pain to forfeit 6 months Imprisonment, and not to be enlarged, till Surety be given for the good behaviour during one whole year after such Imprisonment.

XXI. Justices of Assise, Gaol-delivery, *Oyer and Terminer*, and of Peace, have power to punish the negligence of Officers in this behalf.

XXII. This shall not Impeach the Authority of the Lord Wardens of the Marches.

XXIII.

XXIII. Stat. 21 Jac. 26. It is Felony without benefit of Clergy, to acknowledge or procure to be acknowledged, any Fine, Recovery, Deed Enrolled, Statute, Recognisance, Bail or Judgment, in the Name of any person not privy or consenting thereto; howbeit this Offence shall not corrupt the Blood, nor take away Dower; neither shall it extend to Judgment acknowledged by an Attorney of Record for another person.

XXIV. Stat. 13 & 14 Car. 2. cap. 18. Exportation of Sheep, Wooll, &c. made Felony. *Vid. Tit. Woolls, Sect. XXXVI.*

XXV. Stat. 22 & 23 Car. 2. cap. 1. If any on purpose and of malice forethought and by lying in wait shall cut out or disable the Tongue, put out an Eye, slit the Nose, or cut off a Nose or Lip, or cut off or disable any Limb or Member of any Subject of his Majesty, with intention to maim or disfigure him, such persons, their Counsellors, Aiders and Abettors shall suffer death as in Cases of Felony without benefit of Clergy.

XXVI. Provided that no Attainder of such Felony shall corrupt the Blood, or forfeit the Wives Dower.

XXVII. Stat. 22 & 23 Car. 2. cap. 7. Persons that shall in the night-time maliciously burn any Ricks or Stacks of Corn, Hay, or Grain, Barns, other Houses or Buildings, or Kilns, or destroy Horses, Sheep, or other Cattel, shall suffer as in case of Felony. But such Attainder shall work no corruption of Blood, loss of Dower, or disinheritance of Heir.

XXVIII. If any persons Attainted by vertue of this Act shall make election to be Transported to any of the Kings Plantations, the Justices of Assise, Oyer and Terminer, &c. before whom they shall be Convict, may cause Judgment to be Entred, that they be Transported to some of the Kings Plantations in such Judgment named, for seven years; and that the Sheriff of the County shall cause them to be imbarqued. Any returning within seven years shall suffer death, as if no such election had been.

XXIX. If any shall in the night-time maliciously maim, or otherwise hurt any Horses, Sheep, or other Cattel, or destroy any Plantations of Trees, or throw down Inclosures, they shall forfeit to the party grieved treble the Damage by Action of Teespais or upon the Case.

XXX. Upon complaint of the parties injured, three or more Justices of Peace, whereof one to be of the *Quorum*, may inquire by the Oaths of 12 Men, examination of Witnesses upon Oath, or any lawful means, concerning such Offences and Offenders therein: and issue Warrants to summon Jurors, and apprehend suspected persons, and cause others that seem likely to make discovery, to appear, and give information upon Oath: so as no person be proceeded against for any Offence concerning which he shall be examined as a Witness, and make discovery: and if any refuse to appear or be examined, the Justices may commit them till they shall submit to be examined.

XXXI. None punished for any Offence by virtue of this Law, shall be punished for the same Offence by any other Law. Nor shall any be questioned, unless within 6 months after the Offence committed.

✧ Felants and Partridges.

* I. Stat. II H7. 17. None shall take Felants or Partridges with Engines in anothers Ground without licence, in pain of 10 l. to be divided betwixt the Owner of the Ground and the Prosecutor.

II. None shall take out of the Nest any Eggs of Faulcon, Goshawk, Lanner or Swan, in pain of a year and days Imprisonment, and to incur a Fine at the Kings pleasure, to be divided betwixt the King and the Owner of the Ground where the Eggs shall be so taken.

III. None shall bear any Hawk of *English* breed called an Eyess, Goshawk, Tassel, Lanner, Lanneret, or Faulcon, in pain to forfeit the same to the King.

IV. He that brings an Eyess Hawk from beyond the Sea, shall have a Certificate under the Customers Seal where he Lands, or if out of *Scotland*, then under the Seal of the Lord Warden or his Lieutenant, testifying that she is a Foreign Hawk, upon the like pain of forfeiting the Hawk.

V. None shall take, kill or fear away any of the Hawks above-said, from the Coverts where they use to breed, in pain of 10 l. to be recovered before Justices of Peace, and divided betwixt the King and the Prosecutor.

* VI. Stat. 33 Eliz. 10. None shall kill or take any Felants or Partridges with any Net or Engine in the night-time, in pain to forfeit for every Felant 20 s. and for every Partridge 10 s. which if the Offender pay not within 10 days, he shall suffer one months Imprisonment without Bail, and enter into Bond (for two years onely) with good Sureties before some Justice of Peace, not to offend in the like kind.

VII. The Forfeiture aforesaid shall be recovered in any Court of Record, and divided betwixt the Lord of the Liberty or Mannor where the Offence is committed, and the Prosecutor: but in case the Lord shall dispence with the Offender, the Poor of the Parish are to have his moiety, to be recovered by any of the Churchwardens.

VIII. None shall Hawk or Hunt with his Spaniels in standing Grain, or before it is shocked, (except in his own Ground, or with the Owners consent) in pain to forfeit 40 s. to the Owner of the same Ground, to be recovered as aforesaid.

IX. Justices of Assise, Justices of Peace in Sessions and (afterwards) Stewards in Leets have power to hear and determine these Offences; and one Justice of Peace may examine such an Offender, and

and bind him over with good Sureties to answer it at the next General Sessions, if the Offence be not before determined at the Assizes or in a Leer.

X. This Act shall not restrain Fowlers, which unwillingly take Fefants or Partridges, and forthwith let them go at large.

* XI. Stat. 1 Jac. 27. Every person Convicted by his own Confession, or by two Witnesses upon Oath, before two or more Justices of Peace, to have killed or taken any Fefant, Partridge, Pigeon, Duck, Heron, Hare, or other Game, or to have taken or destroyed the Eggs of Fefants, Partridges or Swans, shall by the said Justices be committed to Prison without Bail, unless he immediately pay to the use of the Poor where the Offence was committed, or he apprehended, 20 s. for every Fowl, Hare or Egg so killed, taken or destroyed; and after one months commitment, shall before two or more Justices of Peace be bound with two sufficient Sureties in 20 l. apiece, with Condition never to offend in the like kind again.

XII. Every person Convicted as abovesaid to keep a Greyhound, Dog or Net, to kill or take Deer, Hare, Fefant or Partridge, (unless he have Inheritance of 10 l. per annum, a Lease for life of 30 l. per annum, or be worth 200 l. in Goods, or otherwise be the Son of a Baron or Knight, or Heir apparent of an Esquire) shall suffer Imprisonment as abovesaid, unless he pay 40 s. to the use abovesaid.

XIII. None shall sell, or buy to sell again, any Deer, Hare, Fefant, or Partridge, (except Fefants or Partridges by them reared up, or brought from beyond Sea) in pain to forfeit for every Deer 40 s. Hare 10 s. Fefant 20 s. and Partridge 10 s. to be divided between the Prosecutor and the Poor of the Parish where the Offence is committed.

XIV. Justices of Assize, Justices of Peace in Sessions, and two or more Justices of Peace out of Sessions, have power to hear and determine these Offences.

XV. None shall by any former Law suffer punishment for the same Offences for which he shall be punished by this Law.

XVI. This Act shall not restrain one Licensed in open Sessions to kill Hawks-meat; but then he shall there become bound by Recognition in 20 l. not to kill any of the Games prohibited by this Law, nor to shoot within 600 Paces of an Hearnry, within 100 Paces of a Pigeon-house, or in a Park, Forest or Chase, whereof his Master is not Owner or Keeper; and the Clerk of the Peace his Fee for such a Licence, is 12 d.

* XVII. Stat. 7 Jac. 11. Every person Convicted by his own Confession, or by two Witnesses upon Oath, before two or more Justices of Peace, to have Hawked at, or destroyed any Fefant or Partridge betwixt the first of July and the last of August, shall suffer one months Imprisonment without Bail, unless he forthwith pay to the use of the Poor where the Offence was committed, or he apprehended,

hunted, 40 s. for every time so Hawking, and 20 s. for every Fesant or Partridge so destroyed or taken.

XVIII. He that shall be punished by this Law shall not be punished again by any other Law for the same Offence.

XIX. This Offence shall be prosecuted within 6 months after it shall be committed.

XX. It shall be lawful for the Lord of a manor, or any having free Warren, Inheritance of 40 l. *per annum*, Freehold of 80 l. *per annum*, or Goods worth 400 l. or their Servants, (Licensed by them) to take Fesants or Partridges within their own Grounds or Precinct; so they do it in the day-time, and onely betwixt *Michaelmas* and *Christmas*.

XXI. If any of a mean Condition shall be Convicted by his own Confession, or by one Witness upon Oath before two or more Justices of Peace, to have killed or taken any Fesant or Partridge with Dogs, Nets or Engines, he shall by the said Justices be committed to Prison without Bail, unless he forthwith pay to the use of the Poor where the Offence was committed, 20 s. for every Fesant or Partridge so killed or taken; and also become bound before one or more Justices of Peace in a Recognizance of 20 l. never to offend in the like kind again.

XXII. Every Constable or Headborough (upon a Warrant under the Hands of two or more Justices of Peace) hath power to search the Houses of persons suspected to have any Setting-Dogs or Nets for the taking of Fesants or Partridges, and the Dogs or Nets there found, to kill and cut in pieces at pleasure, as things forfeited unto the said Officers.

Fighting and Quarrelling.

* I. Stat. 5 & 6 E. 6. 4. None shall use any chiding words in the Church or Church-yard, in pain of Suspension for so long time as the Ordinary shall think fit; *viz.* of a Lay-man, *ab ingressu Ecclesie*, and of a Clerk, *a Ministerio Officii*.

II. He that shall there smite or lay violent hands upon any one, is thereby Excommunicated *ipso facto*.

III. He that is Convicted of striking with a Weapon there (or of drawing it with an intent to strike) before Justices of Assise, of Oyer and Terminer, or of Peace in Sessions, by Verdict, his own Confession, or two lawful Witnesses, shall by Judgment of the said Justices have one of his Ears cut off, and in case he want Ears, shall be burned upon the Cheek with the Letter F. and shall stand Excommunicate *ipso facto*.

Fines.

Fines.

I. Stat. *De finibus*, 18 E. 1. Stat. 4. After the Writ Original is delivered in the presence of the parties before the Justices, the Pleader shall say, Sir Justice, *Conge de accorder* : then the Justice shall say, What saith Sir R ? And when the Kings Fine is agreed for, and the Peace cried, the Pleader shall declare the substance of the Fine.

II. A final Concord cannot be Levied in the Kings Court without Writ Original before four Justices in the Bench, or Eyre; and it must also be in the presence of the parties, who ought to be of full Age, of good Memory, and out of Prison : and if a Feme-covert be one, she must be examined by four of the said Justices ; and if she consent not, the Fine cannot be Levied.

III. The reason of such solemnity in the taking of a Fine is, because it bars all persons of full Age, out of Prison, of good Memory, and within the four Seas, the day of the Fine Levied, if they make not their Claim of their Action within a year and a day by the Country.

IV. Stat. *De finibus levatis*, 27 E. 1. Stat. 1. It shall be no good Exception to a Fine, that before or at the time of the Fine Levied the Demandant or his Ancestors were seised of the Land contained in the Fine, or of some part thereof.

V. Fines shall be openly read at two certain days in the week by the discretion of the Justices, and in the mean time all Pleas shall cease.

VI. The Statute of *Carlisle*, 15 E. 2. In Pleas of *Warrantia Charta*, Covenant, or other, whereupon Fines are to be Levied before the Justices of the Bench, as well the Demandants as Tenants (before such Fines pass) shall appear personally, to the end their Age, Idloey, and other defects (if any be) may be discerned.

VII. If the party be not able to come before the Justices in the Court, then two or one of them (by the assent of the rest) shall go to the party and receive this Cognisance : and if but one go, he shall take with him an Abbot, Prior, or Knight being of good fame and credit.

VIII. The Commissioners that take the Cognisance shall make Certificate thereof to the Justices, to the end the Fine may be lawfully Levied according to the former Ordinance.

IX. Neither the Barons of the Exchequer, nor the Justices shall admit any Attorneys, save onely in Pleas that pass before them ; neither shall any of their Clerks or Servants so do ; and every Admission otherwise shall be void.

X. The Authority of the Chancellor and of the Chief Justices for admitting Attorneys, as hath been heretofore observed, is saved.

XI. Stat. 34 E. 3. 16. The Plea of non-claim of Fines shall be no bar hereafter.

XII. Stat.

XII. Stat. 38 H. 3. Stat. 1. 3. Fines taken before the Justices shall be in the presence of the Pledges, who shall know the sum of their Fine before they depart.

XIII. Stat. 5 H. 4. 14. To prevent the Damages that may happen by the imbeziling of the Feet and Nores of Fines, all Writs of Covenant, and other Writs whereupon Fines are Levied, together with the *Dedimus potestatem*, if any be, and all Knowledges and Nores of the same, before they be drawn out of the Common Bench by the Chirographer, shall be Recorded in a Roll, to remain with the chief Clerk of that Court, for the old Fee of 22 d. usually paid to him for Entering the Concord, to the end that in case any Nores or Fines be imbeziled, the party may have recourse to the said Roll, to have Execution thereof.

XIV. Stat. 1 R. 3. 7. A Fine shall after the Ingrossing thereof be openly read and proclaimed in the Common-Pleas the same Term, and the three next Terms after, upon four several days, and in the mean time all the Pleas shall cease.

XV. A Transcript of the Fine shall be sent to the Justices of Assise of the County where the Land lieth, to be there also proclaimed at every Assise holden there that year, and then also all Pleas shall cease.

XVI. Another Transcript thereof shall be also sent to the Justices of Peace of the same County, to be in like sort proclaimed at their four Sessions holden that year : and both the Justices of Assise and Peace shall make Certificate of such Proclamation made the second return of the Term then next following.

XVII. A Fine so proclaimed and certified shall conclude all persons, both privy and Strangers, (except Women covert, other than such Women as are parties to the Fine, persons under Age, in Prison, out of the Realm, or not of sound Mind) if they pursue not their Right, Title, Claim or Interest, by way of Action, or lawful Entry, within five years after the Proclamation so made and certified as aforesaid.

XVIII. The Right of Strangers, which happens to come unto them after the Fine is Ingrossed, is saved, so that they lawfully pursue their Right or Title within five years after it so comes to them : and here an Action against the Pernor of the Profits is maintainable.

XIX. If the parties to whom such Right or Title comes be Covert, under Age, in Prison, out of the Land, or not of *sane* Memory, they or their Heirs have time to pursue their Right or Title within five years after such Imperfections removed ; so also have they in case they had Right of Title at the time of the Fine Levied.

XX. Fines at the Common Law have the same force they had before ; and a Fine may be Levied according to this Statute, or the Common Law, at the election of the parties.

XXI. Stat. 4 H. 7. 24. Every Fine after the Ingrossing shall be proclaimed in the Court the same Term, and the three next, four several

several days in every Term, and in the mean time all Pleas cease.

XXII. The Proclamations being so made, the Fine shall include all persons, both privies and Strangers, except Women Covert, persons under Age, in Prison, out of the Realm, or of *non-sane* Memory, being not parties to the Fine.

XXIII. The Right and Interest that any person or persons (other than parties) hath or have at the time of the Fine Ingrossed, is saved, so that they or their Heirs pursue such their Right or Interest by Action or lawful Entry within five years after the Proclamations so made: so also is the Right and Interest saved which accrues after the Ingrossing of the Fine, so that the parties having the same, pursue it within five years after it so accrues: and in this case the Action may be brought against the Pernor of the Profits.

XXIV. If at the time of the Fine Ingrossed, or of such Accrues, as aforesaid, the persons be Covert, (and no parties to the Fine) under Age, in Prison, out of the Realm, or of *non-sane* Memory, they or their Heirs have time to pursue their Actions within five years after such Imperfection removed.

XXV. The exception, that none of the parties, nor any to their use, had any thing in the Lands at the time of the Fine Levied, is saved to all persons, except parties and privies.

XXVI. Fines at the Common Law have the same force they had before the making of this Act: and a Fine may be Levied this way, or at the Common Law, at the pleasure of the parties.

XXVII. Stat. 32 H. 8. 36. All Fines Levied by any person or persons of full Age, of Lands Intailed before the same Fine, to themselves, or to any of their Ancestors, in possession, reversion, remainder or use, shall immediately after the Fine Ingrossed, and Proclamation made, be a sufficient bar against them and their Heirs claiming onely by such Entail, and against all other claiming onely to the use, or to the use of any Heir of their Bodies.

XXVIII. Howbeit this Act shall not bar the Interest of any persons accrued by any Fine Levied by a Woman after her Husband's death, contrary to the Stat. of 11 H. 7. 20.

XXIX. A Fine Levied by him who is restrained by any express Act of Parliament so to do, shall be void, notwithstanding this Act.

XXX. This Act shall not extend to any Fine heretofore Levied of Lands now in Suit, or heretofore lawfully recovered in any Court by Judgment or otherwise: nor to any Fine of Lands Intailed by the Kings Letters Patents, or any Act of Parliament, the Reversion thereof at the time of such Fine Levied being in the King.

XXXI. Stat. 37 H. 8. 19. Fines Levied before the Justices Assize at Lancaster, or one of them, and openly read and proclaimed at three several Sessions before the said Justices, or one of them, Lands lying within that County Palatine, *viz.* upon three several days in the Sessions, when the Fine is Ingrossed, and three other several days in each of the two Sessions then next following, shall

the force as Fines acknowledged before the Justices of the Common-Pleas.

XXXII. Stat. 2, 3 E. 6. 28. This Statute ordains all Fines of Lands within the County Palatine of *Chester* to be of like force with those of the Common-Pleas, being proclaimed before the High Justice there, or his Deputy, in like sort as those of *Lancaster* are proclaimed.

XXXIII. Stat. 1 M. Parl. 1. 7. All Fines whereupon Proclamations are not duly made (by reason of the Adjournment of any Term by Writ) shall be good as if that Term had been holden from the beginning to the end, and the Proclamations therein made, according to the Stat. 4 H. 7. 34.

XXXIV. This Act shall not extend to any Fine heretofore Leased of Lands now in Suit, or heretofore lawfully recovered by judgment or otherwise.

XXXV. Stat. 35 Eliz. 2. Fines in the Common-Pleas shall be proclaimed four times only, viz. once in the Term wherein the Fine is Ingrossed, and once in each of the three Terms then next following.

XXXVI. Stat. 31 Car. 2. cap. 3. The Chirographer of Fines of the Court of Common-Pleas or his Deputy, shall before the end of Trinity Term next, certify to that Court a Note of all Fines Entered in his Book, that were burnt in the late Fire in the Temple. Copy of which Certificate shall be set up in *Westminster-Hall*, and remain there four Terms. The Chirographer shall also make Transcripts of the Fines in every County that are missing, and deliver them to the respective Sheriffs, within a week after next Trinity Term, who shall set them up at the next Summer Assises.

XXXVII. At any time within three years next, the Chief Justice of the Court of Common-Pleas, with one or more Justices of the said Court, may send for any Officers, Records or other thing relating to such Fines, and upon Examination shall direct the Chirographer to new Ingross the Note of and for such Fines; who shall bring them Ingrossed to the said Chief Justice, and such other Justices as shall have taken the Examinations concerning them, who shall write their Names with these words above their Subscriptions, *prosecutum secundum formam Statuti de Anno Tricesimo primo Caroli Secundi*; the Foot of such Fines so Ingrossed with the Proclamations that and the three subsequent Terms, to be Filed by the *Custos* of the said Court, and the Notes thereof by the Chirographer among the Notes of the same Term.

XXXVIII. Such Fines to be of force as if the Writ of Covenant, or of *Didimus potestatem*, if taken by Commission, Concord, Foot or Note of the said Fines had remained unconsumed, and upon Writ of Error to be brought for the reversing any such Fine, the *Callos Brevium* and Chirographer, together with the Note and the Copy thereof, to certify the said Subscription.

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XXXIX.

XXXIX. No person shall take any Reward for any thing in Execution of this Act.

Fines, Amerciaments, Forfeitures.

I. Stat. 22 & 23 Car. 2. cap. 22. An Act for the better and more certain recovery of Fines and Forfeitures due to his Majesty Expired.

Fines to the King.

I. Magna Charta, 26. 9 H. 3. Nothing shall be given in Writ of Inquisition, nor taken of him that prayeth Inquisition Life or Member ; but it shall be granted freely, and not denied.

First-fruits and Tenths.

I. Stat. 26 H. 8. 3. The First-fruits and Profits for one year of every Spiritual Living is granted to the King, which every Spiritual person shall pay or secure by Bond before his actual possession of his Benefice.

II. Search for the value of the Benefices, and composition for the First-fruits thereof, shall be made by the Lord-Chancellor, Masters of the Rolls, and other Commissioners to be appointed by the King for that purpose ; and the Money and Securities taken upon such Compositions made before the Chancellor and Masters of the Rolls shall be paid and delivered unto the Clerk of the Hanaper, for whom he shall render account, as he useth to do for other Profits of the Great Seal : but being made before other Commissioners, shall be paid and delivered unto the Treasurer of the Kings Chamber, or such other person or persons as the King shall authorize under the Great Seal for that purpose to receive the same.

III. Acquittances for the Receipt of any Money paid for First-fruits, under the Hands of the Clerk of the Hanaper, Treasurer of the Kings Chamber, and the Commissioners or any of them, shall be a Discharge for the same in any of the Kings Courts.

IV. An Obligation for First-fruits shall be of like force as a Rature-staple, and no more shall be so taken for such an Obligation than 8 d. and 4 d. for an Acquittance.

V. The Commissioners shall every six months deliver by Rature unto the Treasurers, or other person or persons authorized as aforesaid, such Money and Specialties as they shall receive ; and in case they do not, or do conceal them, they shall forfeit their Offices and be Fined at the Kings pleasure.

VI. If any be Convicted by Presentment, Verdict, Confession, or Witness, before the Lord-Chancellor or other Commissioners, that he have entred upon any Spiritual Living before payment or composition made as aforesaid, he shall forfeit the double value of the First-fruits.

VII. All First-fruits heretofore payable to other persons, shall be from henceforth paid to the King.

VIII. Provided, that Bishops may give Institution and Induction, notwithstanding this Act.

IX. A Rent or Pension out of every Spiritual Living amounting to the tenth part of the annual value thereof, shall be yearly paid unto the King at *Christmas*, and the Collector thereof shall pay them in yearly before the first of *April*.

X. The Lord-Chancellor shall appoint Commissioners in every Diocese for the discovery of the yearly value of every Spiritual Living there, and to make Certificate thereof, as also of such Deductions as are to be made out of the same; which Commissioners shall be aforehand sworn by *Dedimus potestatem* duly to execute their commissions.

XI. Every Spiritual person shall be charged for his Tenth in the Diocese where he is, albeit their Possessions lie elsewhere.

XII. Bishops shall be charged with the Collection of all the Tenths within their respective Diocesses, and shall make payment thereof yearly before the first of *April*, unto the Treasurer of the Kings Chamber, or other person authorised to receive the same; and upon non-payment thereof Process shall issue out of the Exchequer against them.

XIII. Bishops shall have power to Levy the Tenths by Censures of the Church, Distresses, or otherwise; and no Replevin, Prohibition, *Superfedeas*, or other Writ or Impediment, shall be allowed to hinder the same.

XIV. During the vacation of a Bishoprick, the Dean and Chapter shall be charged therewith.

XV. If Tenths being due, shall not be paid within 40 days after demand thereof made by the Bishop or his Officers, the Incumbent making default, after Certificate thereof into the Exchequer under the Seal of the Bishop, shall be adjudged deprived *ipso facto*, of such Benefices as he hath at the time of such Certificate made, or any time after; and the Benefice or Benefices which he so hath, shall be adjudged void, as if he were dead.

XVI. The Bishop making such Certificate, shall be discharged of so much as is certified to be unpaid; for the recovery whereof Process shall issue out of the Exchequer against the Incumbent, his Executors or Administrators, or (rather than the King shall lose it) and his Successor.

XVII. The Acquittances of the Treasurer of the Kings Chamber, or other Commissioners authorised to receive the Tenth, and all Certificates as aforesaid, shall be allowed in all Courts without other Warrant.

XVIII. No Officer of the Exchequer shall take any thing of the Bishop or his Collector for his Account or *Quietus est*, in pain to his Office, and to be Fined at the Kings will.

XIX. They which pay Pensions to others out of their Spiritual Livings,

Livings, may retain the tenth part thereof, and shall be therein protected by Plea upon this Act.

XX. No Pension shall be reserved upon the resignation of a Benefice above the value of the third part thereof.

XXI. They who in one Corporation aggregate of many have several and distinct Possessions belonging to their respective Dignities, shall onely pay for their own Possessions, and not for those of others.

XXII. No First fruits shall be paid for a Benefice being not above the yearly value of eight Marks, except the Incumbent live three years after his Induction or Collation thereunto : and there shall be an Exception inserted in the Obligation, that in case he live not on those three years, the Obligation shall be void, but if he outlive them, the First-fruits shall be paid by him, his Executors or Administrators.

XXIII. Fees payable by any Bishop or other Prelate for Temporal Justice, shall be defalked out of the valuation of their several Dignities.

XXIV. Stat. 26 H. 8. 17. Farmers of Spiritual persons shall not be compelled to pay First-fruits or Tenths, for their Lesson.

XXV. Stat. 27 H. 8. 8. Every Spiritual person at his entry in Specialty for the payment of his First-fruits, shall have deduction of the tenth part thereof, in respect of the Tenth which shall be to him payable that year.

XXVI. Where the last Incumbent leaves the Tenth unpaid, the Successor may Distrain the said Incumbents Goods found upon the Benefice, and keep them until the Incumbent (if living) or (if dead) his Executors, Administrators, or other Owner of the said Goods shall satisfy the Arrears; which if not done within 12 days, the Goods may be appraised upon Oath, and sold for the satisfaction thereof, together with reasonable Costs; and in case there be no Distress, the Successor may prosecute the Incumbent (if living) or (if dead) his Executors, Administrators, or other Owner of the Goods, by Bill in Chancery, or Action of Debt, for the recovery of the same.

XXVII. Stat. 32 H. 8. 22. If a Bishop or any of his Deputies will make Oath that they cannot Levy a Tenth, they shall be discharged thereof upon their Account in the Exchequer; which Court shall also have power to examine the truth thereof by Witnesses, or otherwise, and also to issue out Commissions, and to receive Commissions for that purpose.

XXVIII. If it be certified into the Exchequer by Commission or otherwise, that any Spiritual Promotion is omitted out of the original Certificate of Tenths, which ought to have been there inserted; that Court shall have power to Enter it into the said Court Record, to the end it may from thenceforth be chargeable with it.

XXIX. Stat. 32 H. 8. 47. The Bishop of Norwich and his

persons shall Collect the Tenths of all Spiritual Promotions within his Diocese, notwithstanding the Stat. of 27 H. 8. (not Printed) which did exempt them from the Collection thereof.

XXX. Stat. 34 & 35 H. 8. 17. The Tenths and Pensions reserved upon the Patents of the five new Bishops of *Chester, Gloucester, Peterborough, Bristol, and Oxford*, shall be paid in the Court of the First-fruits and Tenths; and not elsewhere. But note that the Court was afterward annexed to the Exchequer by divers Acts of Parliament, and Patents of H. 8. and Queen Mary. See Courts.

XXXI. Stat. 2 & 3 E. 6. 20. The Penalty for default of payments of Tenths, shall be the Forfeiture of that onely Benefice out of which the same is due, notwithstanding the Stat. of 26 H. 8. 3.

XXXII. Stat. 7 E. 6. 4. The Collectors of Tenths shall before Midsummer next give good Security to save the Bishop harmless against the King.

XXXIII. The Bishop shall have the last day of May for the payment of Tenths, and for making Certificates for such as have refused to pay them, notwithstanding the Stat. of 26 H. 8. 3.

XXXIV. If a Benefice be void, so that no Tenth can be there received, the Bishop (upon Certificate) shall be discharged thereof; and then the King shall have it Levied upon the Glebe by way of Seizure.

XXXV. The Patent of a Collector of Tenths shall be good no longer than during the continuance of the Grantor in the See.

XXXVI. Stat. 1 El. 4. The First-fruits and Tenths restored to the Crown; the Statutes prescribing the grant and order of them recontinued; the Stat. of 2 & 3 P. & M. 4. (by which they were taken away) repealed: and they shall from henceforth be within the survey of the Court of Exchequer.

XXXVII. All Advowsons of Vicarages incident to any of the Queens Improvements, shall be re-settled in her, notwithstanding any act done by Cardinal *Pool*, or Grant made by Queen Mary; saving unto all persons (except such unto whom such Grants have been made) their Right and Interest into, or out of such Improvements.

XXXVIII. Pensions and all other yearly payments shall be paid before the Act of 2 & 3 P. & M.

XXXIX. All persons in arrear for those Duties, shall now be answerable for them to the Queen.

XL. Vicarages of 10 *l.* per annum, and Parsonages of 10 Marks per annum, or under, shall not be chargeable with First-fruits.

XLI. If an Incumbent continue in the Benefice half a year after the last Avoidance, and die, or be legally outed before the end of the year, he, his Executors, Administrators or Sureties, shall only pay the fourth part of the First-fruits: if he live out the year, and die, or be outed within six months after the year, onely half the First-fruits shall be paid: and if he live out the year and half, and die, or be outed within one year, onely the quarter thereof shall be paid.

XLII. Discharge of First-fruits and Tenth's heretofore granted by any of the Queens Predecessors to the Universities, or the Colleges in them, or to those of *Eaton* and *Winchester*, shall remain good, notwithstanding this Act: also the Dean and Canon of *Windsor*, shall be from henceforth discharged thereof.

XLIII. All Grants of Impropriations belonging to the Archdeaconry of *Wells* shall remain good notwithstanding this Act; yet the said Archdeaconry, and all Spiritual Promotions assigned to it shall from henceforth pay First-fruits and Tenth's.

XLIV. All Impropriations, and other Profits or Emoluments Ecclesiastical, which were formerly within the Survey of the Duchy Court of *Lancaster*, shall be re-continued, notwithstanding this Act, or that of 2 & 3 P. & M.

XLV. The Revenues of Hospitals and Schools shall not be charged with the payment of First-fruits or Tenth's, notwithstanding this Act.

Fish, Fishers, and Fishing.

* I. *21 Hen. 2. 17. 13 E. 1.* None shall take Salmon's betwixt the 8th of September, and the 11th of November, nor young Salmon with Nets or other Engines at Mill-Pools, betwixt the midst of April and the 24th of June, in pain of having their Nets and Engines burnt for the first Offence; for the second, to suffer a quarter of a year Imprisonment; for the third, a years Imprisonment, and afterwards have their punishment increased according to the Trespass. And in places where fresh Waters be, Overseers of this Statute shall be assigned and sworn to inquire of the Offenders.

II. *Stat. 31 E. 3. Stat. 2. 1.* No Herring shall be bought or sold in the Sea, nor before the Fishers be come into the Haven, until the Cable of the Ship be drawn to the Land.

III. *Stat. 31 E. 3. Stat. 2. 2.* The order and time of bringing in and selling of Herrings at the Fair of *Great Yarmouth*, and there the Price of a Last of Herring shall be 40 s.

IV. There shall be no forestalling of Herrings, but they shall come freely unfold into the Haven.

V. No Piker shall buy any fresh Herring in *Yarmouth Haven* betwixt the Feasts of *S. Mich.* and *S. Martin*, in pain of Imprisonment at the Kings will, and to forfeit the Herring so bought.

VI. No Piker of *London*, or of any other Place, shall enter into the Haven there to abate the Fair, in pain to forfeit the Vessel and all the Goods thereof.

VII. The Hostlers there shall be sworn before the Wardens of the Fair to treat their Guests well, and shall have 40 d. for every Last sold to others besides themselves, but for those sold to themselves they shall take nothing.

VIII. An hundred of Herring shall be an hundred and twenty and a Last ten thousand.

IX. Merchants shall sell a thousand of Herrings according to the rate of the Last; and those of *Yarmouth* shall sell a Last of red Herring bought for 40 s. for a Noble gain, and those of *London* for a Mark gain, when they bring them thither from *Yarmouth*, and not above.

X. Two Lasts of Shotten Herring fresh, shall be equal in Price with one Last of full Herring, and two Lasts of Shotten Herring red shall be sold a Mark dearer than a Last of full red.

XI. The Pikers shall buy their Fish at *Kirkley*, or elsewhere upon the Coast, but not to unfurnish the said Fair, for the residue shall be brought to the Fair; and none shall sell Herring within seven miles of *Yarmouth*, but within the three Towns thereof, unless it be Herring of their own Fishing.

XII. The Barons of the five Ports are to have the Government of the Fair: and this Ordinance for buying and selling of Herring shall be observed in all other Towns where Herring is taken and sold.

XIII. Stat. 31 E. 3. Stat. 2. 3. The Chancellor and Treasurer, taking to them Justices and others of the Kings Council, shall ordain remedy touching the buying and selling of Stock-Fish of *St. Dunstons*, Salmon of *Berwick*, Wines and Fish of *Bristol* and elsewhere.

* XIV. Stat. 31 E. 3. Stat. 3. 1. Doggers and Land-Ships of *Blackney-Haven* and the Coast thereabouts, shall discharge their Fish in the Haven, and not elsewhere, in pain of Imprisonment at the Kings will, and to forfeit their Fish, and it shall be sold on Ship-board.

XV. Stat. 31 E. 3. Stat. 3. 2. The ordering and prizing of Dogger-Fish and Loch-Fish at *Blackney Fair* in *Norfolk*.

XVI. None but Masters of Ships, and Mariners that exercise fishing, shall buy Nets or Hooks in *Norfolk* to Fish withal.

XVII. Stat. 35 E. 3. All persons may buy Herring in the Fair, in great *Yarmouth* openly, and not privily.

XVIII. No man shall enter into a Bargain of Herring until the first Chapman hath done with it.

XIX. A Fisher may sell his Herring at any time when he cometh with it.

XX. Stat. 13 R. 2. 19. No Fisher shall use any Engine by which the Fry of Fish may be destroyed, upon the pains mentioned in the Stat. of *West.* 2. 47.

XXI. Salmon in *Lancashire* shall not be taken betwixt *Michaelmas* and *Candlemas*.

XXII. Conservators shall be sworn to see this Stat. observed, and Offenders punished.

XXIII. Stat. 17 R. 2. 9. Justices of Peace shall be Conservators of the Statutes of *Westminster* 2. 47. & 12 R. 2. 19. and shall have power to search all Wares, lest by their straightness the Fry of Fish may be destroyed.

XXIV. Justices of Peace shall have power to appoint and Under-Conservators, to hear and determine in Sessions Officers of this kind, and to punish the Offenders by Imprisonment and Fine, whereof the Under-Conservator which informs is to have half.

XXV. The Mayor or Warden of *London* hath like power in *Thames*, from *Stanes* to *London*, and in *Medway*, as far as the *Citizens Grant* extends.

* XXVI. Stat. 22 E. 4. 2. None shall sell or set to sale any Salmon by Vessel before it be viewed, unless the Butt contain 42 Gallons, the Barrel 42 Gallons, and the half Barrel 21 Gallons, well Packed, in pain to forfeit for every Vessel 6 s. 8 d. And it shall not be sold or put to sale in any Vessel, unless it be well packed, the great Salmon by it self, without mingling any Grills or broken-bellied Salmon therewith; and the small Fish (called Grills) shall be packed by themselves without such mingling: in pain to forfeit for every Vessel otherwise Packed and set to sale, 6 s. 8 d.

XXVII. None shall set any Herring to sale in Vessel, unless the Barrel contain 32 Gallons, and the half Barrel and Firkin accordingly. They shall also be well packed, of one times packing and salting, and as good and as well packed in the midst as at the ends, in pain to forfeit for every Vessel wanting Measure, 3 s. 4. d. and as much for not being packed by this Act.

XXVIII. None shall set to sale any Eels by Vessel, unless the Barrel contain 42 Gallons, and the other lesser Measures accordingly: neither shall any mingle red, gall-beaten, starved or pulled Eels with good Eels, but pack the good Eels by themselves, nor put to sale any red Eels at all, in pain to forfeit for every Vessel wanting Measure, 10 s. and as much for every Vessel mixed, packed or set to sale contrary to this Act.

XXIX. None shall set to sale any Barrelled Fish, unless it be well packed, viz. the great Fish (called Tail-Fish, containing in length from the Bone in the Fin to the third Joint in the Tail, 26 inches) by themselves, and the lesser Fish (called Grills) by themselves, without mixing Thukes or broken-bellied Fish therewith; neither shall the said Fish be laid double in the packing, nor the Nap of thereof longer than the little Bone that resteth upon the great Fin, and the Bone shall be taken away to the Navil of every such Fish, which shall also be splatted within a handful of the Tail, in pain to forfeit for every Barrel of Fish otherwise ordered, 3 s. 4 d.

XXX. Head-Officers of Corporations, Burroughs, Market-Towns and other Places, shall appoint discreet persons to search and gauge Vessels of Fish, for the prevention of the aforesaid Offences.

XXXI. The Forfeitures of this Act shall be divided between the King and the Prosecutor. Howbeit, within a Franchise the Lord of the Liberty shall have the Kings part.

XXXII. Stat. 31 H. 7. 23. The Stat. of 22 E. 4. 2. is confirmed, and the Gauger, Searcher and Packers Fee appointed by

for ganging of every Vessel of Fish, a Farthing; for searching and packing (if need be) of a Barrel of Salmon, 1 d. for boning, napping and packing a Barrel of Fish (if need be) 1 d. for searching and packing a Barrel of Herring, 2 d. and as much for Eels; and so ratably for lesser Measures of Herring and Eels.

XXXIII. The Gauger, Searcher or Packer shall take no more, and that onely when they execute their Office, in pain to forfeit their Office, and to suffer 40 days Imprisonment without Bail.

XXXIV. Stat. 31 H. 8. 2. None shall Fish in any Pond, Stew or Moat in the day-time without the Owners consent, in pain of three months Imprisonment, and to find Sureties for their good behaviour. *But this is altered by 5 Eliz. 21. Vide infra.*

* XXXV. Stat. 2 & 3 E. 6. 6. No Officer of the Admiralty shall take any thing of any person that goes to Trade for Fish into Island, New-found-land, Ireland, or other Places commodious for Fishing, for any Licence to pass, or otherwise in respect of such Voyage, in pain to forfeit for the first Offence treble the sum or value of the Reward so taken, to be divided betwixt the King and the party grieved, or other Prosecutor: and for the second Offence to lose his Office, and to be Fined at the Kings will.

* XXXVI. Stat. 1 Eliz. 17. None shall use any Net or Engine to destroy the Spawn or Fry of Fish, or take Salmon or Trouts out of Season, or Pikes shorter than 10 inches, Salmon than 16, Trouts than 8, and Barbles than 12; or shall use any Engine to take Fish, other than Angle or Net, or a Tramel of two inches and an half mesh, in pain to forfeit 20 s. the Fish so wrongfully taken, and the Net or Engine wrongfully used.

XXXVII. All persons having Jurisdiction of Conservancy upon Streams or Waters, and Lords of Leets, have power upon the Oaths of 12 Men to hear and determine these Offences, and shall have all the Forfeitures which accrue thereupon.

XXXVIII. The Steward of a Leet shall give this Statute in charge to the Jury, in pain of 40 s. to be divided betwixt the Queen and the Informer.

XXXIX. Here, if the Jury wilfully forbear to Present Offences of this kind, the Steward or Bailiff shall impanel another Jury to inquire of their Default, which being found, the first Jury shall forfeit 20 s. apiece.

XL. Upon default of Presentment in Leets within one year, Justices of Peace in Sessions, Justices of Oyer and Terminer, and Justices of Assize in Circuits, have power to hear and determine the said Offences.

XLI. This Act shall not restrain the taking of Smelts, Loches, Minnows, Bull-heads, Gudgeons or Eels, with Nets or Engines formerly used, so that no other Fish be taken therewith; nor shall extend to abridge any former Priviledge of Conservancy lawfully enjoyed, or Fishing in *Tweed, uske, or wye*, or in Waters Let to Farm

Farm by the Queen, so that the Spawn or Fry of Fish be not therein wilfully destroyed.

* XLII. Stat. 5 *Eliz.* 21. None shall unlawfully break down Fish-pond-heads, or Fish there without licence of the Owner, or enter into any Charter-Park, Woods or other Grounds, and there kill or chase the Deer, or take any Hawks or Hawks Eggs, in pain to suffer three months Imprisonment, and to be bound with good Sureties to the good behaviour for seven years after.

XLIII. The party grieved shall in Sessions or elsewhere recover treble Damages against the Delinquent, and upon satisfaction shall have liberty to procure his release of the Behaviour.

XLIV. Justices of Oyer and Terminer, Assise, Peace and Gaol-delivery in Sessions, have power to hear and determine those Offences.

XLV. Justices of Peace upon the Offenders acknowledgment in Sessions, and satisfaction to the party grieved, shall have power to release the Behaviour.

XLVI. Stat. 1 *Jac.* 23. In the Counties of *Somerset*, *Devon* and *Cornwall*, it shall be lawful for Huors of Fish to go upon any man's Ground near the Sea-Coast to discover Fish, and for Fishermen to dry their Seams and Nets there, without danger of committing Trespass.

* XLVII. Stat. 3. *Jac.* 12. None shall erect a Wear or Weir along the Sea-shore, or in any Haven or Creek, or within five miles of the Mouth of any Haven or Creek, or shall willingly destroy the Spawn or Fry of Fish, in pain of 10 *l.* to be divided betwixt the King and the Prosecutor: neither shall any Fish in any of the said Places with any Net of a less mesh than three inches and an half betwixt Knot and Knot, (except for the taking Smoulds in *Norfolk* onely) or with a Canvas Net or other Engine, whereby the Spawn or Fry of Fish may be destroyed, in pain to forfeit the said Net or Engine, and 10 *s.* in Money, to be divided betwixt the Poor of the Parish and the Prosecutor; and to be Levied in Corporations by the Head-Officers, and in other Places by Distress and Sale of Goods, upon a Warrant of a Justice of Peace, directed unto the Constables and Churchwardens of the same Parish for that purpose.

XLVIII. Stat. 13 & 14 *Car.* 2. cap. 28. None from the first of June to the last of November in any year, shall take Fish with any Drift-Net, Trammel or Stream-Net or Nets, or other Nets of that sort, within one League and a half of the Shore of *Cornwall* or *Devon*, on pain to forfeit the Nets or the value of them, and to be one month Imprisoned.

XLIX. If any not being Owners, Partners or Adventurers in the Craft of Fishing, make Pilchards or Fumathoes in Cask to be sold or Transported, except they buy them of the respective Owners, or with their leave, they shall forfeit them or their value, one half to the King, the other to the Informer.

I. Purloyners, Imbezellers, &c. of Pilchard-Fish, shall satisfie treble the value, and be sent to the House of Correction for three months.

II. Suspicious persons flocking together about the Boats, Nets and Cellars belonging to the Pilchard-craft upon the Coasts of Cornwall and Devon, being warned to be gone, and refusing, upon complaint to any Justice of Peace, shall pay 5 s. to the Poor of the Parish, or be set in the Stocks five hours.

LII. Stat. 15 Car. 2. cap. 16. No Herring of *English* catching shall be put to sale, but what shall be packed in lawful Vessels, and well laid and packed: and shall be of one time of taking, salting, or drying, and equally packed in every part of the Vessel, and by a sworn Packer: by whom the Vessel shall be marked with a Mark denoting the gage thereof, and the quantity and quality of Herrings, and the Place where packed. The Bailiffs of Great Yarmouth, and the Head-Officers of every Port, &c. where any Vessels go to Fish for Herrings, before the first of July in every year shall appoint Packers, and give them an Oath for well executing their Office, on pain to forfeit 100 l. half to the King, and half to the Prosecutor.

LIII. No Vessel shall proceed upon a Fishing Voyage from *Ireland* or *Westmony*, out of any Port, &c. till the 10th of March in any year, on pain to forfeit such Ship and Fish caught. No person shall Levy or take in *New-found-land* any Duty for any Fish of *English* catching, on pain to forfeit double the value of what he takes. None shall lay Nets in or near any Harbour in *New-found-land*, to take the Spawner young Fry of the *Poor-John*, or for any other use, except for taking bait, on pain to lose such Nets and Fish taken, or the value, to be recovered in any of the Kings Courts in *New-found-land*, or Courts of Record in *England*.

LIV. None shall destroy or steal any Utensils for Fishing or making Oyl, or other Goods left in any Harbour in *New-found-land* or *Greenland* by *English*: or destroy any House built there by *English* to live in during the Fishing Season, or Stage for ordering of Fish or making Oyl, on pain to lose double the value, to be recovered in any of the Courts aforesaid.

Vide Tit. Hunters and Hunting. Sect. XVII. An Act for preservation of Fishing in the River *Severn*, v. *Severn*.

Flax and Hemp.

I. Stat. 23 H. 8. 17. None shall water any Hemp or Flax in any River, Running-water, Stream, Brook, or common Pond, where Beasts be used to be watered, but onely upon the Ground, in which is ordained for that purpose, or in their own several Ponds, in pain to be divided betwixt the King and the party grieved, or other Prosecutor.

Fools,

Fools, Lunaticks, and Mad-men.

I. Prerog. Reg. 9. 17 E. 2. The King shall have the custody of the Lands of natural Fools, taking the Profits thereof without Waste, and finding them Necessaries, of whose Fee soever the Lands be holden; and after the death of such Idiots shall render them to the right Heir; so that the Lands shall not be sold, but the Heir disinherited.

II. Prerog. Reg. 10. 17 E. 2. The King shall provide that the Lands of Lunaticks be safely kept without Waste, and they and their Families (if they have any) shall be maintained with the Profits thereof; and that the residue be kept for their use, and be delivered unto them when they come to right mind; so that the Lands shall not be aliened, neither shall the King have any Profits thereof to his own use; but if they die in such estate, the residue shall be distributed for their Souls by the advice of the Ordinary.

✧ Forcible Entry.

*** I. Stat. 5 R. 2. 7.** None shall enter into Lands or Tenements by force, in pain of Imprisonment, and ransom at the Kings pleasure.

II. Stat. 15 R. 2. 2. When forcible Entry is made into Land or Church-Livings, one or more Justices of Peace, taking sufficient power, and going to the Place so kept by force, may commit the Offender to the next Gaol, there to remain Convict by the Justices Record, till he hath made Fine and Ransom to the King. And here in the Sheriff and all others shall be Assistants, in pain of Imprisonment and great Fines making.

III. Stat. 8 H. 6. 9. The Stat. of 15 R. 2. 2. shall be duly put in execution both against forcible Entry and forcible Detainer, although it were after peaceable Entry; and all this at the Costs of the party grieved.

IV. When complaint of any such Entry or Detainer shall be made to any Justice or Justices of Peace, he or they by Precept shall command the Sheriff to summon a sufficient Jury, and having by them made enquiry of the force committed, shall cause the Tenements to be seised, and that as well in the absence as presence of the party offending. And here the alienation of the Tenements (so entered into, or detained by force) for maintenance shall be adjudged void.

V. If the Jurors make Default, Issues are to be set upon them by the Sheriffs thus; 20 s. upon the first Precept, 40 s. upon the second, 5 l. upon the third, and for every Default after, the double.

VI. The Sheriff or Bailiff that shall neglect his Duty herein, shall forfeit 20 l. to be recovered against him as well before the Justices aforesaid, as before Justices of Assize, by Indictment or Bill, and to be divided betwixt the King and the Prosecutor.

VII. In an Affise of *Novel Disseisin*, or Action of Trespass against the party guilty of forcible Entry, forcible Detainer and Alienation, as aforesaid, the party grieved shall recover treble Damages.

VIII. Head-Officers and Justices of Peace of Corporations have like power with their Franchises that other Justices of Peace have within Counties.

IX. This Statute shall endamage none where peaceable Possession hath been enjoyed by the space of three years.

X. Stat. 31 *Elix.* 11. There shall be no Restitution upon an Indictment of forcible Entry or Detainer, where the Defendant hath been three years next before in quiet possession, and his Estate therein not ended.

XI. Stat. 21 *Jac.* 15. Upon Force or Detainer, as aforesaid, a Justice or Justices of Peace have power to give Restitution of Possession as well unto Tenants for years, by *Elegit*, Statute-Merchant or Staple, Copy-holders or Guardians by Knights-service, as unto those that claim Free-hold or Inheritance.

Forests, Chales, Parks, Warrens.

I. Chart. de Foresta, Cap. 1. 9 H. 3. All Forests Afforested by H. 2. shall be viewed by lawful Men; and if he hath Afforested any other Woods than his own Demesne, whereby any is prejudiced, they shall be Disafforested, saving Common of Herbage and other things within the Forest to such as have been accustomed to enjoy them.

II. Cap. 2. None dwelling out of the Forest shall come before the Justices of our Forest by common Summons, unless they be Impleaded there, or be Sureties for others that are Attached for the Forest.

III. Cap. 3. All Woods made Forest by R. 1. or King John, shall be Disafforested, unless they be our Demesne Woods.

IV. Cap. 4. All Free-holders having Woods in Forests, shall enjoy them as they did in the Coronation of H. 2. acquitted of all Purprestures, Wastes and Asserts made before the second year of the Coronation of H. 3. and they that make them henceforward shall be answerable to the King for the same.

V. Cap. 5. Rangers of the Forests shall exercise their Offices as was used at the Coronation of H. 2. and not otherwise.

VI. Cap. 6. Lawing of Dogs shall be made in Forests from three years to three years by the view and testimony of lawful Men, and not otherwise; and he that hath not his Dog Lawed shall be Amerced 3 s. also no Ox shall be taken for Lawing of Dogs: and it shall be done by the usual Affise, viz. that three Claws of the Fore-foot be cut off by the Skin. Howbeit, such Lawing shall not be but where it hath been used from the Coronation of H. 2.

VII. Cap. 7. No Foster or Beadle shall make Scoral, or gather Garb, Oats, Corn, Lamb or Pig, but by the sight and Oath of the twelve

twelve Rangers, when they shall make their Range : And shall be so many Rangers assigned for the keeping of Forests as seem reasonably sufficient for the same.

VIII. *cap. 8.* There shall be onely three Swain-motes in the year, viz. one 15 days before *Michaelmas*, another about *Marigoldmas*, and the third 15 days before *Midsummer* ; at the first two of which none shall appear by Distress but the Fosters, Verdors and Gest-takers, and at the others onely the Fosters and Verdors : Howbeit, the Fosters and Verdors shall meet every 40 days to see the Attachments of the Forests, as well for Green-hue as Hunting : And the Swain-motes shall not be kept but in the Counties where they have been used to be kept.

IX. *cap. 9.* Every one having a Wood in the Forest, may And it, and take his Pannage there at his pleasure : he may also drive his Hogs through the Kings Wood or elsewhere for that purpose ; and if they lie all night in the Forests, he shall not be questioned for it.

X. *cap. 10.* None shall lose Life or Member for killing of Deer, but shall be Fined for it, if he have any thing ; if not, he shall be Imprisoned a year and a day, and (if he can find good Sureties) shall then be delivered ; but if not, he shall abjure the Realm.

XI. *cap. 11.* A Peer of the Realm, being sent for by the King, in coming and returning may kill a Deer or two in the Forest through which he passeth : Howbeit it must not be done privily, but by the view of the Forester, if present ; but if absent, by causing one to blow a Horn for him, lest he seem to steal the Deer.

XII. *cap. 12.* Every Free-man may within the Forest (upon his own Ground) make a Mill, Spring, Pool, Marl-pit, Dike, or Arable Ground, without inclosing such Arable, so it be not to the Nuisance of any of his Neighbours.

XIII. *cap. 13.* Every Free-man may have his Ayries of Hawks, Eagles and Herons, and also Honey found in his Woods within the Forest.

XIV. *cap. 14.* No Chimage or Toll shall be taken in Forests but by a Forester in Fee that Farms his Bailiwick, and onely of such as buy their Bushes, Timber, Bark or Coal to sell it again, viz. 2 d. for a Carr, and 1 d. for an Horse, to be taken half-yearly ; and it shall onely be taken where it hath used to be taken, and not elsewhere ; neither shall any Chimage be taken of such as carry Burthens of Bushes, Bark or Coal, albeit they sell it, unless they take them out of the Kings Demesne Woods.

XV. *cap. 15.* All persons Outlawed for Trespas in Forests since *H. 3.* shall be released, finding Sureties to offend no more.

XVI. No Constable, Castellan or Bailiff shall hold Pleas of Forests for Green-hue or Hunting, but the Forester shall Attach such Pleas, and Present them to the Verdors of the Provinces, who shall Enroll them, and Present them inclosed under their Seals unto the

Justice of the Forest, when he comes into those parts to hold Pleas of the Forest, to be determined before him.

XVII. These Liberties of the Forest the King grants to all men, saving to all other persons the Liberties and free Customs in Forests, Warrens and other Places, which they have formerly enjoyed.

XVIII. *Warron, cap. 11. 20 H. 3.* The Lords demanded the Imprisonment of Trespassers in their Parks and Ponds, but it was denied by the King, and so deferred.

XIX. *Warron, 1. cap. 20 3 E. 1.* Trespassers in Parks or Ponds shall give treble Damages to the party grieved, suffer three years Imprisonment, be Fined at the Kings pleasure, and give Surety never to offend in the like kind again : And if they cannot find Surety, they shall abjure the Realm, or being fugitive shall be Outlawed.

XX. *Stat. 21 E. 1.* A Forester, Parker or Warrener shall not be questioned for killing a Trespasser, who (after the Peace cried unto him) will not yield himself, so it be not done out of some other former malice.

XXI. *Ordinatio Forestæ, 33 E. 1. Stat. 5.* Those to whom the King hath granted Purview (whereby their Woods are Disafforested) shall be quit of the charge of the Forest, but then they are to have no Common there : Howbeit, such as are willing to return their Woods into the Forest, shall enjoy Common and other Easements there as they did before.

XXII. *Ordinatio Forestæ, 34 E. 1. cap. 1.* Presentment of Trespasses of Green-hue and Hunting in Forests, shall be made at the next Swain-mote by the Foresters within their several Bailiwicks, before the Foresters, Verdors, Regardors, Agistors, and other Ministers of the Forest ; and they shall be also inquired of by the Oaths as well of Knights as other lawful Men (not suspected) of the nearest Parts where the Trespasses were committed : and the Presentments so inquired of shall be solemnly Confirmed and Sealed by the Seals of the said Ministers.

XXIII. *Cap. 2.* If any Officer die, or be otherwise hindered, that he cannot Present at the Swain-mote, the Justice of the Forest or his Lieutenant shall put another in his Place, that the Indictment may nevertheless be made by all, in form aforesaid : also Officers which are to be placed, shall be put as hath been used ; except the Verdors, who shall be ordained by Election or Writ.

XXIV. *Cap. 3.* No Minister of the Forest shall be put upon any Assize, Jury or Enquest to be taken without the Forest.

XXV. *Cap. 4.* No Officer of the Forest shall surcharge the Forest, in pain to be Imprisoned by the Justice of the Forest or his Lieutenant ; and he by whom they were placed shall be also punished at the Kings pleasure. At every Swain-mote inquiry shall be made of Surchargers, Foresters, and other Ministers there, and of oppressions done to the People, that reformation may be made.

XXVI. *Cap. 5.* Trespasses committed in Grounds Disafforested, shall be pardoned, yet so as the Hedges and Ditches shall be cast down.

down and removed; saving the Kings Arrentations, which shall remain according to the Assise of the Forest: also the Wood in the Forest shall be carried away, but that standing (though it shall be preserved.

XXVII. *Cap. 6.* The Justice or his Lieutenant shall take Fines and Amerciaments of Indictées for Trespasses committed there, and shall not tarry for the Eyre. Commoners restrained from their Commons by the Perambulation shall be restored to them again saving the Kings Arrentations, as is aforesaid.

XXVIII. *Stat. 1 E. 3. Stat. 1. cap. 8.* None shall be taken or Imprisoned for Vert or Venison, unless he be taken with the manner, or else Indicted according to the Form of the Statute of 34 E. 1. And then the Warden of the Forest shall let him to Mainprise until the Eyre of the Forest, without taking any thing for his deliverance: And if the Warden will not so do, he shall have a Writ out of the Chancery of old ordained for persons Indicted, to be Bailed till the Eyre.

XXIX. If the Warden after the Writ served deliver not the person Indicted, to Mainprise, the Plaintiff shall have a Writ out of the Chancery directed to the Sheriff, to Attach the Warden to answer his Default before the King at a certain day; and then the Sheriff (the Verdors being called to him) shall deliver the person Indicted by good Mainprise in the presence of the said Verdors, and shall deliver the Names of the Mainperners to the same Verdors to answer in the Eyre before the Justices.

XXX. If the chief Warden be thereof Attainted, he shall be Awarded to pay treble Damages to the party grieved, committed to Prison, and ransomed at the Kings will.

XXXI. *Stat. 1 E. 3. Stat. 3. cap. 1.* The great Charter, and also that of the Forest, are Confirmed.

XXXII. The Perambulations of Forests shall continue as they were bounded in the time of E. 1. and every County shall have a Charter thereof; and where they are not bounded, it shall be now done, and a Charter thereof shall be also made accordingly.

XXXIII. *Stat. 1 E. 3. Stat. 2. cap. 2.* Every Man having Wood within the Forest, may take House-boot and Hay-boot in his Wood, without being Attached for the same by the Ministers of the Forest, so that it be done by the view of the Foresters.

XXXIV. *Stat. 2 E. 3. Stat. 5. cap. 7.* No Forester or Minister there, shall gather any Victuals or other thing, by colour of his Office, but what is due of old right.

XXXV. *Stat. 7 R. 2. 3.* A Jury for the Trial of a Trespass within a Forest, shall give up their Verdict where they receive their Charge, and shall not by Menace or otherwise be constrained to give their Verdict of a Trespass done in the Forest otherwise than their Conscience will clearly inform them.

XXXVI. *Stat. 7 R. 2. 4.* No Officer of the Forest shall take or Imprison any without due Indictment, or per main amitt, with

the Work, (that is, being taken with the manner, or Trespass in the Forest;) nor shall constrain any to make Obligation against his will, and the Assise of the Forest; in pain to the party grieved double Damages, and to be Ransomed at the King's will.

XXXVII. Stat. 22 E. 4. 7. If any having Woods in his own Ground within any Forest, Chase or Purliew, shall cut or cause the same (or any part thereof) to be cut, by the Kings Licence, (where such Forests, Chases or Purliew are his,) or without Licence, (where they belong to others,) he may keep them several and inclosed during seven years next after their selling.

XXXVIII. Stat. 32 H. 8. 35. Every Justice of the Kings Forests, Chases and Parks, by Writing under the Seal of his Office, may make as many Deputies as he please, which shall have like power as the Justice himself hath.

XXXIX. Stat. 16, 17 Car. 1. 16. An Act for the certainty of Forests and of the Meers, Limits and Bounds thereof: See the Statute at large.

Forefeiture.

I. Magna Charta, cap. 22. 9 H. 3. The King will not hold the lands of persons convict of Felony, longer than a year and a day, and then they shall be delivered to the Lords of the Fee.

II. Stat. 17 E. 2. 14. The King shall have the Escheats of the lands of Free-holders of Archbishops and Bishops, which happen in time of Vacation, to dispose of at his pleasure, the said Free-holders being attainted for Felony; saving to such Prelates the Service thereto is due and accustomed.

III. Stat. 17 E. 2. 16. The King shall have all the Goods of Felons and Fugitives, and the Year, Day and Waste of their Land, and then the Land shall be delivered to the Lord of the Fee, who may also (if he please) compound with the King for the Year, Day and Waste.

IV. Here certain Lands are excepted, viz. 1. In Gloucestershire, after the Year and Day the Land shall descend to the next Heir. 2. In Kent, (Lands called *Gavelkind*) where the Father may give the Bough, and yet the Son to the Plough. And in *Gavelkind* the Heirs-male shall divide the Inheritance, and so shall the Heirs-female, but Women shall not make partition with Men: all the Lands of a Woman shall be endowed of the moiety; and if she commit Felony in her Widowhood, or Marry, she shall lose her Dower.

V. Stat. *De Catallis Felonum*. None taken for Felony, for which he shall be Imprisoned, shall be Disseised of his Lands or Chattels, until he be Convicted thereof: but as soon as he is taken, his Temporal Goods and Chattels shall be viewed by the Sheriff and other Justices of the King and lawful Men, and Inventoried, and kept by the Sheriff of him that is so taken, who shall give Surety to the Justices.

stices of the Chattels, or the Price; saving to the Accused Family their Necessaries as long as he shall be Imprisoned, and reasonable Estover, so that when he is Convicted, the residue of the Chattels (besides his Estover) may remain to the King, with a Year and Day of his Lands; but if he be acquit, his Chattels shall be restored. *Vide Rast. Forfeiture* 7.

VI. Stat. 31 E. 3. Stat. 1. 3. If any charged with the Chase of Fugitives and Felons, will, in discharge of himself, alledge that he is chargeable therewith, he shall be heard, and right shall be done him.

VII. Stat. 34 E. 3. 12. There shall be no forfeiture of Land for Treason of dead persons nor Attainted in their Lives.

VIII. Stat. 1 R. 3. None shall seise the Goods of any Person for suspicion of Felony, before he be Convict or Attainted thereof; or the same Goods be otherwise lawfully forfeited, in pain to be seised to the party grieved double the value of the Goods so taken, to be recovered by Action of Debt, &c. wherein no Essoin shall be allowed.

IX. Stat. 11 H. 7. 1. None that Attends upon the King (at the time being) in his person, and doth him faithful Service of Allegiance in his Wars within the Realm or without, or is in other Places at his Command, shall be Convict or Attainted of High Treason, or any other Offence for so doing, whereby he may forfeit anything, but shall be clearly discharged of all vexation and loss which he may incur by reason of the same. And if any Act or Process of Law hereafter happen to be made thereupon, it shall be void. Provided, that none shall take benefit by this Act, which shall hereafter decline from his Allegiance.

X. Stat. 24 H. 8. 5. If any be Indicted or Appealed for the death of one attempting to murder, rob, or commit Burglary, (if so found by Verdict) he shall forfeit no Lands or Goods for the same, but shall be fully acquit and discharged thereof.

✧ Forger of false Deeds.

* I. Stat. 5 Eliz. 14. If any alone or with others shall wilfully subtilly and falsly forge or make, or cause to be forged or made any false Deed, Charter or Writing Sealed, Court-Roll, or Writing, to the intent that the Free-hold or Inheritance of Land, or the Right or Title thereof, may be troubled, deftured or prejudged, or shall publish or shew forth in Evidence any such Writing as true, knowing the same to be false and forged, and shall be thereof Convicted upon an Action of Forger of false Deeds (founded upon this Statute) at the Suit of the party grieved, then otherwise he shall pay to the party grieved double Costs and Damages to be Assessed in the Court where such Conviction shall be, and shall be set upon the Pillory in some Market-Town, or other open Place, and there have both his Ears cut off, and also his Nostrils

with an hot Iron; he shall also forfeit to the Queen, her Heirs and Successors, the Issues of his Lands, and suffer perpetual Imprisonment during his life: and the said Costs and Damages shall be levied upon the Goods and Issues of the Lands of the Offender notwithstanding the Queens Title thereunto.

II. For such forging, &c. of a Lease for years of Lands, (not yet sold) or of an Annuity, Obligation, Bill, Acquittance, Release, or other Discharge of any personal thing, the Offender shall be liable to the party grieved, to be Assessed as before, to be upon the Pillory, lose one of his Ears, and suffer a years Imprisonment without Bail.

III. The party grieved may have his remedy for his double Costs and Damages by Original Writ out of the Chancery, as in case of a writ by Bill in the Kings Bench, or in the Exchequer, in which writ a Fine, &c. shall be allowed.

IV. Whosoever, hethat is once punished for this Offence, shall not be impeached for the same: and albeit the Plaintiffs release or discontinuance of Suit may discharge his own remedy, yet the punishment shall be nevertheless inflicted by Judgment and Command of the Court.

V. The second Offence is Felony without Clergy, wherof the Offender being Convicted or Attainted, he shall forfeit his Lands and Goods as in other Cases of Felony; saving to all other persons his Right, &c. neither shall such Conviction or Attainder extend to his Dower, or disherison of Heir.

VI. Provided, this Act shall not extend to charge any Ordinary, Ecclesiastical or Official, for putting their Seal of Office to any Writing, not knowing the same to be forged, nor for Writing such a Writing or the Probate thereof.

VII. Justices of Oyer and Terminer and Assize, in their Sessions shall hear and determine these Offences.

VIII. Provided, this Act shall not extend to any Proctor, Advocate or Register, for Writing, Setting forth or Pleading of any Proxy or the Appearance of any person cited to appear in the Ecclesiastical Court, nor to any Archdeacon or Official for putting their Seal to such Proxy, nor to any Ecclesiastical Judge for admitting the same to any Attorney or Councillor for Pleading or giving in or shewing any such forged Writing, being not party nor privy thereto, nor to any person that shall Plead or shew forth any Writing Exemplified under the Great Seal, or the Seal of any other Court or this Realm, nor to any Judge, Justice, or other person for any such Seal thereunto, nor knowing the same to be

Forefallers, Regrators, Ingrossers.

I. Stat. 8 E. 6. 14. He or she that shall buy or contract for any Merchandise, Victual or other thing whatsoever, (in the way) before it shall be brought (by Land or by Water) unto any City, Port, Road, Fair or Market, where it should be sold, or shall cause the same to be so bought, or shall dissuade People from bringing any such Commodity to any such Place, (or being brought) shall perswade them to enhance the Price thereof, shall be adjudged Forefaller.

II. A Regrator is he that buys any Grain, Wine, Fish, Butter, Cheese, Candles, Tallow, Sheep, Lambs, Calves, Swine, Pigs, Geese, Capons, Hens, Chickens, Pigeons, Conies, or other dead Victual whatsoever, brought to a Fair or Market to be sold there, and doth sell the same again in the same Fair or Market, or in some other Fair or Market within four miles.

III. An Ingrosser is he that gets into his hands by buying, contract or promise, (other than by Demise, Grant or Lease of Land or Tithe) any Corn growing in the Fields, or other Grain, Butter, Cheese, Fish, or other dead Victual whatsoever, with intent to sell it again.

IV. The party guilty of any of the Offences aforesaid, shall forfeit for the first Offence the value of the Goods so bought or sold, and suffer two months Imprisonment without Bail; for the second the double value, and suffer six months Imprisonment without Bail; and for the third, shall forfeit all his Goods, be set upon the Pillory, and be Imprisoned at the Kings pleasure.

V. This Act shall not restrain the buying of Barley or Oats to be converted into Malt or Oatmeal; nor the Provision of any Town Corporate, Ship, Castle, Fort, *Berwick, Holy Island, &c.* nor any Fishmonger, Inholder, Victualler, Butcher, Poulterer, or Person dwelling within one mile of the main Sea, which use to buy and sell Fish, for any thing concerning their several Mysteries or Trades; they retailing the same at reasonable Prices; nor any Bailiff, Lader, Kidder or Carrier, assigned to that Office by three Justices of Peace, and delivering the Commodity out of his hand within one month after he buys it; nor the taking of any thing reserved by any Lease: so that all these things be done without fraud or dealing.

VI. He that buyeth Grain in any Market for change of seed, shall bring as much the same day, and sell it, if he can, according to the present Price of Grain there, in pain to forfeit double the value of the Grain so bought.

VII. He that buys any Cattel, and sells the same again alive within five weeks, shall forfeit double the value thereof; during which time he ought to keep them upon Pasture, which he hath either by Grant or Prescription.

VIII. Justices of Peace in Sessions have power to hear and determine the aforesaid Offences by Inquisition, Presentment, Bill or Information, or by the Testimony of two Witnesses, and to exact the one half of the Forfeitures to the use of the King, and cause the other half to be Levied to the use of the Prosecutor by *Fieri facias* or *Capias*; and when the Prosecution shall be at the Kings Suit onely, to exact the whole to the Kings use.

IX. None shall be punished twice for the same Offence.

X. This Act shall not restrain the Transporter of Grain or Cattel from Port to Port, (allowed by three Justices of Peace, and not forestalling) so that he imbarke the same within fourty days after he buys them, and bring back from some Justice of Peace or Head-Officer a Certificate of their unlading agreeable to his Cocquet.

XI. The Offences against this Statute shall be prosecuted within two years.

XII. This Act shall not restrain a Drover allowed by three Justices of Peace, (*r. Quor.*) and selling his Cattel at fourty miles distance from the Place where he bought them. Howbeit such allowance ought not to continue above one year.

XIII. Stat. 13 *Eliz. in fine.* The Statute of 5 & 6 E. 6. 14. shall not extend to Wines, Oyls, Sugars, Spices, Currants, or other Foreign Victual brought from beyond Sea, Fish and Salt onely excepted.

XIV. For more ancient Statutes against Forestalling, see the Statute of Forestallers, 31 E. 1. and the Statute of Cloths, 25 E. 3. 3. which Statute they are altered by 4 & 5 E. 4. 14. I have thought them fit to be inserted.

Franchises and Liberties.

I. *Magna Charta, cap. 1. 9 H. 3.* The Church of England shall have, and shall have all her holy Rights and Liberties inviolable.

II. *Magna Charta, cap. 9. 9 H. 3.* The City of London, and all other Cities, Boroughs, Towns, the Barons of the five Ports, and other Ports, shall have all their old Liberties and free Customs.

III. *Magna Charta, cap. 37. 9 H. 3.* All free and ancient Liberties and Customs of all persons, as well Spiritual as Temporal, are reserved, which the King himself promiseth to observe, and commandeth all Men of this Realm to do the like. He likewise farther promiseth, that neither he nor his Heirs shall procure or do any thing to infringe them; and that if any thing be so procured, it shall be void.

IV. Stat. *De quo warranto, 18 E. 1.* If any can verifie by good Proof or otherwise, that they or their Ancestors or Predecessors have used any Liberty, whereof they have been Impleaded by *Quo warranto* before the death of R. 1. and have hitherto, (not having obtained such Liberty,) they shall be adjourned to a reasonable day before the Justices, within which time they may repair to the King with

with the Record thereof Signed by the Justices Seal, which the King will Confirm their Estate: and if any Judgement has been given upon such Writs by the Justices at *Westminster*, upon the complaint of the party grieved, to the King, he will give them remedy.

V. All Pleas of *Quo Warranto* shall be from henceforth Pleaded and Determined in the Circuit of the Justices, and all Pleas depending shall be adjourned into their proper Counties, until the coming of the Justices into those Parts. *Note, That this Statute is confirmed by another Statute De quo Warranto, of the same Year, to the same effect.*

VI. Stat. *De quo Warranto*, 30 E. 1. The Form of a Writ directed to the Sheriff, to permit all Men to enjoy all such Liberties as they had before; and of a Proclamation, that such as claim Liberties shall shew to the Justices (at the first Assises when they come into those Parts) how they hold them; for which they have fourty days Summons: and if they appear not, their Liberties shall be seized in the name of Distress. Also the Form of another Proclamation, that such as complain of the Kings Officers shall shew their Grievances to the said Justices.

VII. Stat. *De Tallagio non concedendo*, tempore E. 1. cap. 4. All persons shall have their Laws, Liberties and free Customs as they have used to have them when they had them best: And if any Statutes or Customs have been made or brought in by our Predecessors, or if any Article contained in this Charter be contrary thereunto, they shall be void.

VIII. Stat. 1 E. 3. Stat. 2. 4. All Cities, Boroughs and Enfranchised Towns shall enjoy all their Franchises, Customs and Liberties as they ought and were wont to do.

IX. Stat. 14 E. 3. Stat. 1. cap. 1. Holy Church shall have all her Liberties in quietness: The great Charter and that of the Kings shall be holden in all Points: And the City of London, and all other Cities and Boroughs, shall enjoy all their Franchises and Customs which they have reasonably had and used in times past.

X. Stat. 25 E. 3. Stat. 3. 1. All Privileges and Franchises heretofore granted to the Clergy are Confirmed, and shall be holden in all Points.

XI. Stat. 6 R. 2. Stat. 1. 1. The Church of England shall have all her Liberties whole and unhurt, and the same shall fully enjoy and use.

XII. Stat. 7. R. 2. 1. Holy Church shall enjoy all their Liberties and Franchises, as she had them in the time of the Kings Predecessors. The like is granted in 2 R. 2. 1. 3 R. 2. 1. 5 R. 2. 1. 7 R. 2. 1. 1 H. 4. 1.

XIII. Stat. 2 H. 4. 1. The Church shall have her Rights and Liberties. All Lords Spiritual and Temporal, Cities, Boroughs and Towns Enfranchised, shall enjoy their Liberties and Franchises which they have lawfully used; or have had by the Grants of the Kings.

Statute in Parliamt. made in the 27th Year of the Kings of England. Vide 2 H. 4. 1. 15 H. 4. 1. 2 H. 6. 1. which are in effect the same, save that they extend to such Franchises as are Repealed or Repealable by the Common Law.

XVI. Stat. 27 H. 8. 24. None but the King shall have power to pardon Treason or Felony, or such as are accessory to, or outland for the same, notwithstanding any Grant, Usage, Prescription, or other thing, to the contrary.

XVII. None shall make Justices in Eyre, of Assise, Peace, or Gaol-delivery, but onely the King, and that by his Letters Patents under the Great Seal, and notwithstanding any Grant, &c.

XVIII. All Writs, Indictments and Processess in every County Palatine, or other Liberty, shall be made in the Kings Name, *Teste* the King of such County Palatine or Liberty: and here, in every such Indictment of any Offence against the Peace, it shall be *appoynted* to be done against the Kings Peace, and not against the Peace of any other person, notwithstanding any Grant, &c.

XIX. Provided, That Justices of Assise, Gaol-delivery and Peace in the County Palatine of Lancaster, shall be so made under the Kings usual Seal of Lancaster, notwithstanding any Act.

XX. Provided also, That Corporations which have power to make Justices of Peace and Gaol-delivery, may have them still, notwithstanding this Act.

XXI. Stewards, Bailiffs, and other Ministers of Liberties, shall attend the Justices of Assise and Gaol-delivery and Peace, and make execution of Processess to them directed, within their Liberties: and the Bailiffs there, or their Deputies, shall also attend and assist the Sheriff at the Gaol-delivery, for Execution of Prisoners.

XXII. Provided, That the last Clause shall not be prejudicial to the Stewards or Bailiffs of Corporations, which are not compellable to attend or appear out of their Corporations.

XXIII. The King shall have the Fines, Issues, Amerciaments and Forfeitures which shall be set upon, or lost by Stewards, Bailiffs, or other Ministers of Liberties, notwithstanding any Grant, &c. And Forfeitures for insufficient Returns made by such Stewards or Bailiffs, shall be set upon their Heads, and not upon the Sheriffs.

XXIV. Purveyors may take Provision within Liberties, notwithstanding any Grant, &c. provided such Purveyors observe the Statutes made for them in that behalf.

XXV. The Kings Officers may keep their Courts within the Liberties, and his Clerk of the Market onely, shall execute his Office there, notwithstanding any Liberty but London.

XXVI. All Statutes made against Sheriffs, Under-Sheriffs, Bailiffs, or other Ministers, for any Misdemeanour concerning their Offices, shall extend to Stewards, Bailiffs, and other Ministers of Liberties.

XXVII. Stewards and Bailiffs of Liberties, and their Deputies and Clerks, may execute their Office above a year, notwithstanding this Act.

XXVI. All such Justices to be made as is afore rehearsed in this Act, shall have power to hold their Sessions of Peace, and to deliver the Gaols within their Liberties, and to execute all other things within the same, in as ample manner as other Justices of Peace and Gaol-delivery do in any Shire, notwithstanding any Act, Grant, &c.

XXVII. The new Justices now to be made by the King within Liberties, shall sit where such Justices have commonly used to sit before; and none within the said Liberties shall be compellable to appear before any other Justices of the same Liberties.

XXVIII. Sir *Thomas Englefield*, now Justice of *chester* and *Flin*, shall not be prejudiced by this Act.

XXIX. This Act shall not be prejudicial to Corporations, but they shall enjoy such Liberties, Fines, Issues, Amerciaments and Forfeitures, as they did before the making thereof.

XXX. The Bishop of *Ely*, and his Steward for the time being, shall be Justice of Peace within the same Isle, notwithstanding this Act; so also shall the Bishop of *Durham* and his Chancellor in the County Palatine, and the Bishop of *York* and his Chancellor in *Hexam* within that Precinct.

XXXI. Stat. 32 H. 8. 20. The same Franchises that the late Owners of Religious Houses had within three months before their Dissolutions, shall be revived, and be actually in the King, and in the Survey of the Court of Augmentations; and the Stewards, Bailiffs and Ministers thereof shall Accompt there, as other Officers Accomptants of the King in that Court have done.

XXXII. The Franchises of the late Religious Houses which have come to the Kings hand by Attainder, shall be in the order of the Court of general Surveyors; and the Stewards, Bailiffs and Ministers thereof, shall Accompt there, as other Officers Accomptants of the King in that Court have done.

XXXIII. The said Stewards and other Officers shall be anxious and obedient in all other the Kings Courts, as the Officers of the said late Owners were: and no Sheriff or other foreign Officers shall intrude into their Liberties in any other manner than they lawfully might have done before the said Franchises came into the Kings possession.

XXXIV. Every person may use all such Liberties as he had before the Kings Grant or otherwise, notwithstanding this Act: and the Offices, Fees, Annuities and Profits of all persons out of any of the Lands of the said Religious Houses are saved.

XXXV. Fines may be Levied in the Court of Augmentations Lands within that Survey, to the Kings use, without Fee, and the Justices of the Common-Pleas shall receive and allow the same; also all Deeds and Obligations made to the Kings use, which concern the said Lands, may be there Enrolled without Fee.

XXXVI. Provided, That the Kings Officers may keep Courts within the Verge, and his Clerk of the Market, and none other.

his Office there, notwithstanding any Grant, &c. Neither shall this Act be prejudicial to the City of London.

XXXVII. The Lands of the late Monastery of *Furnes*, and of the late Monasteries and Priories of *Cartmole*, *Coningshed*, *Burstrough*, and *Holland*, and the Liberties and Franchises belonging thereunto, shall be in the Government of the Officers of the Dutchy of *Lancaster*: and the Officers of those Liberties shall be liable to Accompt as other Officers of the Dutchy have used to be: they shall also be Attendant on the Kings Courts; and the Sheriff and other Officers are prohibited to intromit into those Liberties.

XXXVIII. This Act shall not annul or diminish any of the Liberties belonging to the said Dutchy, or to the five Ports, or the Members thereof.

XXXIX. The Petition of Right, 1 *Car.* 3. None shall be compelled to make or yield any Gift, Loan, Benevolence, Tax, or such like Charge, without Consent by Act of Parliament, nor upon refusal so to do shall be called to make Answer, take any Oath nor warrant by Law, give Attendance, or be Confined, or otherwise Molested concerning the same, or for refusal thereof: Neither shall any Free-man be Imprisoned or detained without cause shewed.

XL. The Subject shall not be burthened by the Quarter of Soldiers or Mariners; and all Commissions for proceeding by Martial Law shall be annulled, neither shall any of like nature be issued out hereafter, lest the Subject (by colour thereof) be destroyed or put to death, contrary to the Laws and Franchises of the Land.

XLI. What hath been done to the prejudice of the Subject in any of the Premises, shall not hereafter be drawn into consequence of Example: and the King declares his Pleasure to be, That in the things aforesaid, all his Officers and Ministers shall Serve him according to the Laws and Statutes of the Realm.

❖ Frauds and Fraudulent Conveyances.

I. Stat. 30 *E.* 3. 6. Fraudulent Assurance of Lands or Goods to deceive Creditors, shall be void, and the Creditors shall have Execution thereof as if no such Gift had been made.

* II. Stat. 13 *Elix.* 5. All fraudulent Conveyances of Lands, Tenements, Hereditaments, Goods or Chattels, and all such Bonds, Suits, Judgments and Executions made to avoid the Debt or Duty of others, shall (as against the party onely whose Debt or Duty is so endeavoured to be avoided, their Heirs, Successors, Executors or Assigns) be utterly void, any Pretence, feigned Consideration, or, &c. notwithstanding.

III. Every of the parties to such a fraudulent Conveyance, Bond, Suit, Judgment or Execution, who being privy thereunto, shall wilfully justify the same to be done *bona fide*, and upon good Consideration, or shall Alien and Assign any Lands, Lease or Goods so to them Conveyed, as aforesaid, shall forfeit one years value of the Lands,

Lands, Lease, Rent, Common, or other Profit out of the same, the whole value of the Goods, and also so much Money as shall be contained in such covinous Bond; and, being thereof Convicted, shall suffer half a years Imprisonment without Bail. And here the said Forfeitures are to be divided betwixt the Queen and the party grieved.

IV. Common Recoveries against the Tenants of the Freehold shall be good notwithstanding this Act: and so shall all Estates made for the procuring of a Voucher in *Formedon*. Neither shall this Act extend to Grants made *bona fide*, and upon good Consideration, to persons not privy to such Collusion.

V. Stat. 27 Eliz. 4. Every Conveyance, Grant, Charge, Incumbrance, and Limitation of Use or Uses, of, in, or out of any Lands or other Hereditaments, made to defraud any Purchaser of the same in Fee, in Tail, for Life or Years, shall (as against such Purchaser onely, and every other person lawfully claiming from, by, or under him) be utterly void, the said Purchaser having obtained the same for Money, or some other good Consideration.

VI. Every of the parties to such fraudulent Conveyances, or being privy thereunto, who shall justify the same to be made *bona fide* and on good Consideration, to the disturbance or hinderance of the Purchaser, or of any other lawfully claiming from, by, or under him, shall forfeit one years value of the Lands or other Hereditaments so purchased or charged, to be divided betwixt the Queen and the party grieved; and, being thereof Convicted, shall suffer half a years Imprisonment without Bail.

VII. Conveyances made upon good Consideration and *bona fide* shall be good, notwithstanding this Act.

VIII. If Lands be first Conveyed with Clause, Provision, or Condition of Revocation, Determination or Alteration, and afterwards sold or changed for Money or other good Consideration, before the first Conveyance was revoked, altered or made void, according to the power given thereby; in this case such first Conveyances shall be void against the Vendee, and all others lawfully claiming from, by, or under him. Nowbeit no lawful Mortgage, made *bona fide* without fraud, shall be Impeached by this Act.

IX. All Statutes Merchant and of the Staple, shall within six months after their Acknowledgment be Entred in the Office of the Clerk of Recognisances taken according to the Statute of 23 H. 8. 6. and the Clerk there (upon shewing the same) shall make Entry thereof, for which he shall have 8*d.* and no more.

X. Every such Statute, which is not within four months after the Acknowledgment thereof delivered to be Entred accordingly, shall be void against the Purchaser of the Lands chargeable therewith, and against his Heirs, Successors, Executors and Assigns.

XI. The said Clerk shall within the said six months make Entry of every Statute to him delivered, as aforesaid, and shall Indent thereupon the Day and Year of such his Entry, with his own Name,

to forfeit for every Statute so brought unto him, and not
brought as aforesaid, 20*l.* to be divided betwixt the Queen and the
Prosecutor.

XII. The Clerk shall take for the search of a Statute but 2*d.*
for every years search, in pain to forfeit to the Parry grieved twenty
times so much as he takes above, to be recovered in any Court of
Record by Action of Debt, &c.

XIII. Provided, That this Act shall not extend to make good
any Purchase made void by reason of any former Conveyance, so as
the party so making void the same, his Heirs or Assigns, were the
first day of this Parliament in actual possession of the Lands out of
which any such Purchase, Lease, Charge or Profit was made.

XIV. Stat. 29 Car. 2. cap. 3. For prevention of fraudulent Pra-
ctices endeavoured to be upheld by Perjury, be it Enacted, That
all Leases, Estates, Interests of Free-hold or Terms of years, or any
uncertain Interest in or out of any Lands, Tenements or Heredita-
ments not put in Writing, and Signed by the parties making them,
or their Agents authorised by Writing, shall have no greater effect
than as Estates at will, except Leases not exceeding three years,
whereof the Rent shall be two Thirds of the full value.

XV. No such Estates or Interests, not being Copy-hold or custo-
mary Interest, shall be Assigned, Granted or Surrendered, unless by
Deed in Writing, Signed *ut supra*, or by operation of Law.

XVI. No Action shall be brought after the 24th of June, to charge
an Executor on a special Promise to answer Damages out of his own
Estate, or to charge the Defendant upon any Promise to answer for
the Debt or Mis carriage of another, or upon an Agreement on con-
sideration of Marriage, or on any Contract or Sale of Lands, Tene-
ments or Hereditaments, or any Interest concerning them, or on any
Agreement not to be performed within a year after the making, un-
less such Agreement, or some Note thereof, be in Writing, and
Signed by the party to be charged, or some other by him authorised.

XVII. All Devises of Lands or Tenements shall be in Writing,
and Signed by the Parry Devising, or some other in his presence,
and by his direction, and Subscribed in his presence by three or four
Witnesses, or else shall be void.

XVIII. No such Devise in Writing shall be revocable otherwise
than by Writing, or by burning, tearing or cancelling the same by
the Testator, or in his presence, and by his consent.

XIX. All Declarations or Creations of Trusts, shall be manifested
by some Writing Signed by the parry, or by his last Will in Writing,
or else shall be void.

XX. Trusts resulting by Implication of Law, or transferred or
extinguished by act of Law, shall be as if this Statute had not been
made.

XXI. Assignments of Trusts shall be in Writing Signed by the
party Assigning by such last Will, or else shall be of none effect.

XXII. Sheriffs and other Officers, to whom any Writ or Process shall be directed at the Suit of any person, upon any Statute, Judgment or Recognisance hereafter to be had or made, may deliver Execution of all Lands, &c. whereof others shall be seised or possessed in Trust for him against whom Execution is sued: Trusts in Fee-simple shall be Asssets to Heirs.

XXIII. Provided, That no Heir chargeable by reason of any Trust, made Asssets by this Law, shall by reason of any Plea, or confession of the Action, or suffering Judgment by *Nient dedire*, or any other matter, pay the Condemnation out of his own Estate.

XXIV. Any Estate *pur auter vie* shall be Devisable by a Will, Signed and Subscribed as aforesaid: and if no such Devise be, it shall be chargeable in the hands of the Heir, if it come to him by a special Occupancy as Asssets by descent; else it shall go to the Executors, and be Asssets in their hands.

XXV. Any Judge or Officer of any of the Courts at *Westminster* that shall Sign any Judgments, shall (without Fee) set down the Day of the Month or Year of his so doing, upon the Paper or Record, &c. which he shall Sign, which shall be Entred upon the Margin of the Roll of the Record of the said Judgment: and such Judgments, as against Purchasers *bona fide* for valuable Consideration, shall be Judgments onely from such Signing.

XXVI. No Writ of Execution shall bind the property of Goods but from the time of its delivery to the Sheriff, Under-Sheriff, or Coroners, who upon receipt thereof (without Fee) shall Endorse on the back thereof the Day of the Month or Year when they received it.

XXVII. No Contract for the sale of any Goods for 10 s. or upwards, shall be good, except the buyer actually receive part of them, or give something in earnest, or some Note thereof in Writing be made and Signed by the Parties to be charged, or their Agents.

XXVIII. The Day of the Month, and Year of the Enrolment of Recognisances, shall be set down in the Margin of the Roll; and no Recognisance shall bind Lands in the hands of Purchasers *bona fide* and for valuable Considerations, but from the time of such Enrolment.

XXIX. No Nuncupative Will shall be good, where the Estate bequeathed exceeds 30 l. that is not proved by the Oaths of three Witnesses, that were present at the making thereof, nor unless the Testator bid them, or some of them to bear witness, That such is his Will: nor unless it were made in the last Sickness of the deceased, and in the House of his Dwelling, or where he had been Resident ten days or more, except where he was surprised from his own Home, and died before his Return.

XXX. After six months passed after speaking the pretended Testamentary Words, no Testimony shall be received of such Nuncupative Will, they

negative Will, unless the said Testimony were committed to Writing within six days after making the said Will.

XXXI. No Letters Testamentary, or Probate of any Nuncupative Will, shall pass the Seal of any Court till fourteen days after the Testators Decease. Nor shall any Nuncupative Will be Proved, unless Process have issued to call in the Widow or next of Kindred to the Deceased, to contest it, if they will.

XXXII. No Will in Writing of any personal Estate, shall be Repealed by Words orally, excepts the same be in the life of the Testator committed to Writing, and read to him, and allowed by him, and that proved by three Witnesses.

XXXIII. Souldiers in actual Military Service, and Mariners at Sea, may dispose of their personal Estates, as before the making of this Act.

XXXIV. Ecclesiastical and other Courts having right to the Probate of Wills, shall retain the same, but subject to the Directions of this Act.

Free-hold.

I. Stat. cap. 22. § 2 H. 3. None shall Distrain his Free-holders to answer for their Free-holds, or for any thing touching the same, without the Kings Writ; nor cause his Free-holders to swear against their wills: for none may do that without the Kings Commandment.

II. Stat. 15 R. 2. 12. None shall be compelled to answer for his Free-hold, or for any other thing touching the same, or for any other thing real or personal, before the Council of any Lord or Lady: and if any be hereafter molested in that kind, and thereof complain to the Chancellor, he shall have remedy.

III. Stat. 16 R. 2. 2. The Statute of 15 R. 2. 12. shall be duly put in Execution; and if any Lord, Lady or other do to the contrary, they shall forfeit 20 l. to the King.

Fuel.

* I. Stat. 7 E. 6. 7. The Assise of Fuel shall hereafter be as followeth: Every Sack of Coal shall contain four Bushels of good and clean Coal: a Talshid shall contain in length four Foot besides the Cast: Every Talshid named of one, shall within a Foot of the midst be 16; of two, 23; of three, 28; of four, 33; and of five, 38 inches about: Also every Billet shall contain in length 3 Foot 4 inches, and being named a Single, shall contain 7 Inches and an half about; a Cast, 10; and two Casts 14: Likewise a Fagot bound shall be 3 Foot long, and have the Band 24 Inches about, besides the foot.

II. Billets of two Casts may be made without danger of Forfeiture, they being made according to the aforesaid Assise, and marked within

within 6 Inches of the midst: but a Billet of one Cast shall be bound within 4 Inches of the end thereof.

III. For every Talskid, Billet, Fagot, or Sack of Coals otherwise made and put to sale, the Maker and Seller thereof shall forfeit 3 s. 4 d.

IV. None shall buy any such Fuel but Wharfingers or Bargemen, or such as will burn the same, or will retail it to such as will burn it, in pain to forfeit the treble value of the Fuel otherwise bought; neither shall any alter any Mark or Assise of Fuel, upon the like Forfeiture: all which Forfeitures are to be divided betwixt the King and the Prosecutor, but are not recoverable, unless prosecuted within a year after the Offence committed.

V. Here, if the Offender be not able to satisfy the Forfeiture, he shall (upon Conviction by Witness or otherwise) be set upon the Pillory in the next Market-Town on the Market-day at 1 r a Clock, by Command of a Justice of Peace, or any other of the Kings Officers, having a Billet or Fagot bound to some part of his Body.

VI. Stat. 43 Eliz. 14. So much of the Statute of 7 E. 6. 7. as concerns the Forfeiture of 3 s. 4 d. is Repealed: But the Assise of Fuel ordained by that Act is still continued, and enjoined to be observed in London, Westminster, and all other Corporations where Tall-wood, Billet and Fagots are used to be sold.

VII. If any bring any Tall-wood, Billet or Fagot, to any City, Burrough or Corporation to be sold there, or being brought there put the same to sale, not being made according to the Assise limited by the Statute 7 E. 6. 7. or hereafter by this Act, upon information thereof, the Mayor or other Head-Officer of such City, Burrough or Corporation, shall swear six lawful Men there to enquire thereof; and if the said Fuel shall by them be found faulty, it shall be by such Mayor or other Head-Officer delivered to the Overseers for the Poor there, to be distributed to the Poor there, as the said Overseers shall think fit.

VIII. Every Talskid marked *one*, being round-bodied, shall contain 16 Inches and an half in compass; being half round, 19; and quarter cleft, 18 Inches and an half: being marked *two*, and round, 23 Inches; half round, 27; and quarter cleft, 26: marked *three*, and round, 28; half round, 33; quarter cleft, 32: marked *four*, and round, 33; half round, 39; quarter cleft, 38: and marked *five*, and round, 38; half round, 44; and quarter cleft, 43: which are to be measured about within six Inches of the end thereof, and are to contain the length limited by the Stat. of 7 E. 6. 7.

IX. In all other forms of cleaving of Tall-wood, which will not admit the former manner of cleaving, nor any of these, the Length of the said Statute of 7 E. 6. is to be observed.

X. Every Billet named a Single shall contain in compass, being round, 7 Inches and an half; and no Singles shall be made of cleft Wood.

XI. Every Billet marked *one*, (called a Cast) being round, shall contain

contain in compass 11 Inches; half round, 13; quarter cleft, 15 and an half: and marked *two*, (called *two Cases*) being round, shall contain in compass 16 Inches; half round, 19; and quarter cleft, 21 and an half. And in all other forms of Billet which will not admit the former manner of cleaving, and touching the length of Billet, the Letter of the said Statute of 7 E. 6. is to be observed.

XII. A Fagot shall contain in compass (besides the Knor) 24 Inches; and every Fagot-stick shall be three Foot long, except one, which may be but a Foot long, to stop and harden the binding of the Fagot the better.

Fustians.

* I. Stat. 11 H. 7. 27. None shall Dress Fustians with any other Instruments than the broad Sheers, in pain of 20 s. for every such Default, to be divided betwixt the King and the Prosecutor.

II. The Master and Wardens of Sheermen in London shall have power to search the Workmanship of such as use the broad Sheer, as well for Fustian as Cloth; and this Act shall be executed as well against Denizens as Strangers.

* III. Stat. 32 Eliz. 13. The Mayor of London or his Deputy, and the Master and Wardens of the Mystery of Cloth-workers there, or such discreet persons as the said Master and Wardens shall appoint, may make such Search as the said Master and Wardens of Sheermen might do together by the Statute of 11 H. 7. 26. And none shall resist such Search, in pain of 20 s. to be divided betwixt the King and the Prosecutor.

Gauging.

* I. Stat. 27 E. 3. 8. Stat. 1. A LI Wines white and red, brought into the Kings Dominions, shall be lawfully Gauged by the Kings Gaugers or their Deputies, and none shall resist them; in pain to forfeit the Wines, to be Imprisoned, and to be Ransomed at the Kings will.

II. If the Gauger be not ready to do his Office upon request, or be fraud therein, he shall pay to the Party grieved treble Damages, lose his Office, and be Imprisoned, and Ransomed at the Kings will.

III. If the Vessel want due Measure, the value of that want shall be deducted out of the Price thereof.

* IV. Stat. 31 E. 3. 5. If any sell a Tun or Pipe of Wine Gauged, he shall forfeit the same Wine, or the value thereof, to the King.

* V. Stat. 4 R. 2. 1. The former Statutes made for Gauging shall be duly put in execution: and all other Vessels of Wine, Vi-
negar, Oyl, Honey, and other Liquors gaugeable, (brought into the Kings Dominions) shall be lawfully Gauged by the Gaugers thereunto

thereunto assigned, or their Deputies; and if any resist them, they be found faulty, both the one and the other shall have pains ordained by the former Statutes.

VI. Stat. 14 R. 2. 8. None shall be molested for not Gauging of Rhenish Wines, nor incur any Forfeiture for the same, otherwise than hath been used of old time.

VII. Stat. 18 H. 6. 17. All Tuns, Pipes, Tiercians and Hogheads of Wine and Oyl (to be sold within the Realm) shall be lawfully Gauged by the Kings Gauger, or his Deputy, before they be sold, in pain to forfeit to the King the Wine, Oyl and Honey otherwise sold, or the value thereof.

VIII. If any sell any such Vessel wanting the due Measure, he shall abate so much of the Price as it wants of Measure, in pain to forfeit to the King the value of such Wine, Oyl or Honey otherwise sold.

IX. The Informer who will discover such Forfeitures to the Lord-Treasurer or Barons of the Exchequer, shall receive half thereof for his labour.

X. Stat. 23 H. 6. 16. The Gauge-peny shall not be paid to the Gauger, or any other in his name, before he or his Deputies have Gauged the Wines, and then he may take it, and no more.

XI. He or his Deputy shall (upon request) be ready to do their Office: and this Act is to be observed throughout the Realm, upon the pain comprised in the Statute of 27 E. 3. 8.

XII. Stat. 31 Eliz. 8. No Brewer shall sell or put to sale in London, the Suburbs, or within two miles compass of the Suburbs, any Beer or Ale in Butts, Pipes, Punchions, Hogsheds, Tierces, or such other Vessel brought from beyond Sea, and never lawfully Gauged within this Realm, before the same be lawfully Gauged, and the true Content thereof set down thereupon (by the Gauger appointed for Beer and Ale, according to the Standard) by the Master and Wardens of the Coopers of the City of London, or their Deputies: neither shall any Brewer sell or put to sale any Beer or Ale in such Vessel elsewhere in England or Wales, before the same be lawfully Gauged, and the true Content thereof set thereupon by such as by the Statute of 23 H. 8. 4. (which see in Coopers) are appointed to have the Gauging of Barrels, Kilderkins and Firkins elsewhere in England and Wales, in pain to forfeit every such Vessel, and also the Beer and Ale therein, to him that will seize the same, and receive 10 s. for every such Vessel: all which Forfeitures are to be divided betwixt the Queen and the Prosecutor.

XIII. The Fees of the Gauger shall be, for every Butt or Pipe a Penny, for every Punchion, Hogshhead or Tierce, an Half-peny, and for every other Vessel after the like rate.

XIV. This Act shall extend to Denizens as well as to Strangers, and the Gauger may retain the Vessel until he be paid his Fee.

XV. The Master and Wardens of the Coopers in London, or their Deputies or Deputy, within 48 hours after request to them

to any person in *London*, or the Precinct aforesaid, and
to mark his Vessel, in pain of forfeiting to him that
shall request, 20 s. to be recovered by Action of Debt, &c.
VI. This Act shall not extend to punish the Brewer that shall
brew Beer which are Imported, and after they are so filled are im-
mediately to be Exported, to be sent elsewhere out of this Realm.

Gigmills.

I. Stat. 5 & 6 E. 6. 22. None shall use any Gigmill for the
working of any Woollen Cloth, in pain to forfeit for every Cloth
so used 5 s. to be divided betwixt the King and the Prosecutor.

Gold, Silver, and Goldsmiths.

I. Stat. super Chart. cap. 20. 28 E. 1. None shall make, or
cause to be made, any Vessel, Jewel, or other thing, of Gold or
Silver, except it be of good and true Allay, viz. Gold of a certain
Touch, and Silver of the *Sterling* Allay or better; and none shall
work worse Silver than Money.

II. No Vessel of Silver shall depart out of the Workers hand
until it be Assayed by the Wardens of the Craft, and Marked with
the Leopards Head; neither shall any work worse Gold than of the
Touch of *Paris*: and the said Wardens shall go from Shop to Shop
to Assay Gold, whether it have the right Touch; and if any other
be found, it shall be forfeit to the King.

III. None shall make Rings, Crosses or Locks, nor set any Stone
in Gold, unless it be natural: And Gravers of Stones and Seals
shall give to each their weight of Silver and Gold, as near as they

IV. The Jewels of base Gold which they have they shall utter as
well as they can; and if they buy any such Work hereafter, they
shall buy it to work upon, but must not sell it.

V. The Goldsmiths of all other Places in *England* shall be Go-
verned by this Law, and one shall come from each Town to *Lon-*
don to be ascertained of their Touch.

VI. If any Goldsmith offend against this Law, he shall suffer Im-
prisonment, and be Ransomed at the Kings will.

VII. This Act shall not Impeach the Kings Prerogative.

VIII. Stat. 27 E. 3. 14. All Merchants, Denizens and Stran-
gers may Import Plate of Silver, and Billets of Gold, and all other
Gold and Silver, to the Kings Bullion or his Exchanges, taking there
for Gold or Silver equal to the value: And any Man may take Foreign
Money without Impeachment, yet he may refuse it if he please.

IX. No Coin shall be current in the Kings Dominions but his
own: neither shall any Export Gold, *Sterling*, or other Money, save
that which is new, except Merchants Strangers, who Import-
Money will employ the same within this Realm; in which case
they

they may Export without Impeachment so much
or so much thereof as shall not be so employed. Search
thereofought to be made in the Port where they
the Money so Imported must be put in Writing by the
to the end they may not Export more than they
here, no Officer (by colour of such Search) shall unduly
Merchant Stranger.

X. All false Money shall be forfeited to the King.

* XI. Stat. 7 E. 37. Every Goldsmith shall make his
Silver lawfully of the Allay of good *Sterling*, and shall have
per Mark by himself, made known to such as shall be assigned
the King to survey his Work or Allay.

XII. The Goldsmith shall not set his Mark thereunto
Surveyors have made their Essay, as shall be ordained by
and his Council: And when the Essay is made, the
shall set to the Kings Mark, and after the Goldsmith his Mark.

XIII. No Goldsmith shall take for Vessel white and full
weight of a pound, (*viz.* of the Price of two Marks of *Paris*
but 18 *d.* as they do at *Paris*.

XIV. If the Goldsmith be found in Default, he shall forfeit
false Metal to the King.

* XV. Stat. 5 H. 4. 13. None shall Gild any Rings or
things made of Copper or Latten, save onely Ornaments of
Church, (besides Chalice, the Metal plainly appearing in some
thereof) in pain to forfeit 5 *l.* to the King, and Damages to the
deceived by them.

XVI. Stat. 2 H. 5. Stat. 2. cap. 4. Goldsmiths shall Gild
Silver Wares but of the Allay of *Sterling*, and shall not take
4 *s.* 8 *d.* for a pound of *Troy* Silver so Gilt, and for more or
the same rate, in pain to forfeit to the King the value of the
otherwise sold.

* XVII. Stat. 8 H. 5. 3. None shall Gild Sheaths, or any
ral but Silver, and the Ornaments of Holy Church; neither
any Silver any Metal but Knights Spurs, and the Apparel
aining to a Baron, or above that Estate, in pain to forfeit
the value of the thing so Gilt, and to suffer a years Imprisonment
he also that will sue for the said Forfeiture shall have a third
thereof for his pains.

XVIII. Justices of Peace have power to hear and
mine the Offences committed against this Act.

* XIX. Stat. 2. H. 6. 14. None shall sell any Work of
unless it be as fine as *Sterling*, except what Sowder is necessary
be used therein, for which allowance shall be made according

XX. None shall put to sale any Silver Harness in *London*
It be Touched, and also Marked with the Goldsmiths Mark
made known to the Wardens of that Craft, in pain to forfeit
double thereof.

XXI. If the Keeper of the Touch mark such Harness

which is not as fine as *Sterling*, he shall forfeit the value thereof to the King, and Damages to the party grieved.

Turk, Newcastle, Lincoln, Norwich, Bristol, Salisbury and elsewhere shall have several Touches, (according to the Ordinances of the Officers there) which shall be directed by the Orders of the Mint upon the like Forfeiture.

XXIII. No Goldsmiths elsewhere, where there is no Touch, shall sell any Work of Silver under the fineness of *Sterling*, nor shall they set their Mark thereupon before they so put it to sale, upon pain of Forfeiture.

XXIV. All Justices of Peace may hear and determine the Cases committed against this Act: Howbeit, if the Mint-master, or any Officer shall be punished according to the form of his Indentures, *2 H. 6. 12. In Title Money.*

XXV. Stat. 4 H. 7. 2. No Finer of Gold and Silver shall buy any fine Silver or Gold, nor sell it, (save onely to the Officers of the Mint, Changers, and Goldsmiths, for the amending of Gold and Plate, for which he shall receive the true value) in pain to forfeit the value of the Gold or Silver so Allayed or sold, to be divided berwixt the King and the Finder.

XXVI. Neither shall any such Finer sell any Silver in Mass and Allayed, in pain to forfeit the same, to be divided between the King and the Finder.

XXVII. All fine Silver which is to be parted, shall be made so that it may bear Twelve-peny weight of Allay in a pound, and yet remain as good as *Sterling*: and every Finer shall set several Mark upon such fine Silver, in pain to forfeit the value thereof, to be divided berwixt the King and the Finder.

XXVIII. No Goldsmith shall Melt or Allay any fine Silver, except it be for making Amels, Goldsmiths Work, or mending of Gold, to make it as good as *Sterling*, neither shall he sell any fine or Allayed Silver Molten into Mass, to another Goldsmith, or to any other person whatsoever.

XXIX. This Ordinance shall be observed by all Goldsmiths, in pain to forfeit their Silver, or the value thereof, to be divided between the King and the Finder.

XXX. Stat. 18 Eliz. 15. No Goldsmith shall work, sell, or buy any Goldsmiths Ware of Gold under 22 Carats fine, nor use more Sowder, Amel or other Stuffings in his Work then is necessary for the finishing thereof; neither shall he take above 10 s. for the ounce of Gold (besides the Fashion) more than the Buyer may be allowed for it at the Queens Exchange or Mint: in pain to forfeit the value of the thing sold or exchanged.

XXXI. No Goldsmith shall make, sell or exchange any Goldsmiths Ware of Silver less in fineness than 12 ounces and Two-peny fine, nor take above 12 d. for every pound weight of such Ware (besides the Fashion) more than the Buyer may be allowed for it

at the Queens Exchange or Mint, nor put to sale any where before he hath set his own Mark to so much thereof as conveniently befall the same, in pain to forfeit the value of the so sold or exchanged.

XXXII. If any Goldsmiths Work be marked and allowed by the Wardens or Masters of that Mystery, and be afterwards found to be false, the Wardens and Corporation of the said Mystery shall forfeit the value of the thing so sold or exchanged.

XXXIII. The said Forfeitures are to be divided between the Queen and the party grieved.

Vide Money.

Grants.

I. Stat. 3, 4 E. 6. 4. An Exemplification of the Enrolment of the Kings Letters Patents under the Great Seal, shall be of as good force to be shewed or pleaded in behoof of the Patentee, or his Heirs, Successors and Assigns, or of any other having any Estate from, by or under them, or any of them, or by any other person under the Date of such Letters Patents, as if the Letters Patents themselves were produced.

II. Stat. 13 Eliz. 6. An Exemplification of the Enrolment of the Letters Patents by H. 8. E. 6. Qu. M. Ph. & M. Qu. Eliz. 1. of them, since the 4th of Febr. in the 27th Year of H. 8. or hereafter to be granted by the Queen, her Heirs or Successors, shall be of as good force to be shewed or pleaded in behoof of the Patentee, or their Heirs, Successors and Assigns, and every other person having any Estate from, by or under them, or any of them, as well as against the Queen, her Heirs and Successors, as against all other persons whatsoever, as if the Letters Patents themselves were produced.

Habeas Corpus.

I. Stat. 31 Car. 2. **W**hensoever any Habeas Corpus shall be Served on any Officer, or other person, or left at the house of any of the Under-Officers, within three days after that (whereby the Commitment were for Treason or Felony expressed in the Warrant) the Prisoner, upon payment or tender of Charges, Endorsed on the Writ, not exceeding 12 d. per mile, and giving his own Bond to pay the Charges of carrying him back, if returned, and not to escape by the way, shall be brought, and the Writ shall be turned, and the cause of his Imprisonment certified, unless the cause of Commitment be more than twenty miles distant; and if less than twenty miles, then within ten days; if further than twenty miles, then within twenty days, and no longer.

II. Such Writs shall be marked thus, *Per Stat. Trium Caroli Secundi Regis*, and be Signed by the person Awarding the same, and persons Committed (unless for Treason or Felony)

or detained out of Term, may, or any one on their behalf, apply to the Lord-Chancellor or Keeper, or any Judge, who shall view of the Copy of the Commitment, or Oath of its being true, shall upon request by such persons, or any on their behalf, signed and subscribed by two Witnesses, grant a *Habeas Corpus* under the Seal of their respective Courts returnable immediately; and the Prisoner within two days after he shall be brought up, shall be discharged, entering into Recognizance with one or more Sureties, to appear in the Kings-Bench next Term, or at the next Assizes, Sessions, or general Gaol-delivery, or such other Court where the Offence is cognisable; into which Court the Writ, Return and Recognizances aforesaid, shall be certified; unless it shall appear that the Party is detained upon a legal Process out of some Court, or by Warrant of some Justice of Peace, for Offences not Bailable.

III. Persons neglecting two Terms after their Imprisonment to apply a *Habeas Corpus*, shall not have any in Vacation-time in pursuance of this Act.

IV. Officers refusing to make the Returns, or bring the Prisoners, aforesaid, or to deliver within six hours, after demand, a Copy of the Commitment, shall for the first Offence forfeit to the party grieved 100 *l.* and for the second 200 *l.* and be incapable to hold his Office.

V. No person delivered upon any *Habeas Corpus*, shall be again Committed for the same Offence, other than by Order and Process of Court; and persons knowingly recommitting any contrary to this Act, shall forfeit to the party grieved, 500 *l.*

VI. Persons Committed for Treason or Felony, expressed in the Warrant, upon Prayer in open Court, the first week of the Term, or day of the Sessions of *Oyer* and *Terminer*, or Gaol-delivery, to be brought to Trial, if not Indicted the next Term, Sessions of *Oyer* and *Terminer*, or Gaol-delivery, after such Commitment, shall upon Motion the last day of such Term or Sessions, be let out upon Bail, unless it appear upon Oath, that the Kings Witnesses could not be produced that Term or Sessions. And if such persons upon such Prayer shall not be Indicted and Tried the second Term or Sessions after Commitment, they shall be discharged.

VII. This Act shall not extend to any person charged with Process in any Civil Cause.

VIII. Persons, Subjects of this Realm, Committed for any Crime, shall not be removed into custody of any other Officer, unless by legal Writ; or where the Prisoner is delivered to the Constable, &c. to be carried to Gaol: or sent by any Judge, or Justice of Peace his Order to a Work-house, or removed within the County to Trial or Discharge, or in case of Fire, Infection, or other necessity. Persons Signing any Warrants for removal, contrary to this Act, or Countersigning the same, and the Officers obeying the same, shall incur the Forfeitures above-mentioned, both for the first and second Offence, to the party grieved.

IX. Prisoners may obtain their *Habeas Corpus* out of the Court of Exchequer, and the Lord-Chancellor or Keeper, or any other denying any *Habeas Corpus* by this Act required to be granted, shall forfeit to the party grieved 500 l.

X. Writs of *Habeas Corpus* may run into County Palatine, County Ports and other priviledged Places, and into the Isles of *Jersey* *Gutnsley*.

XI. No Subject inhabiting within the Realm, shall be sent Prisoner out of it into any other Parts; persons so Imprisoned may have an Action of false Imprisonment against such as Commit or Transport them, and all others Framing or Counter-signing any Warrant for such Imprisonment or Transportation, or shall be assisting in the same: and shall recover treble Costs and Damages, which Damages shall not be less than 500 l. Persons offending herein shall be disabled to bear any Office of Trust or Profit within the Realm, or Commissions thereunto belonging, and incur the Statute of Praemunire and be incapable of any pardon from the the King.

XII. This Act shall not extend to such as shall agree by Contract in Writing with any Merchant or other person to be Transported, and give Earnest upon such Agreement, nor to persons convicted of Felony and praying to be Transported, nor to the Imprisonment, or any thing relating thereto, of any person before the first of June, 1679, nor to persons resiant within this Realm who shall have committed any capital Offence in Scotland, Ireland, or any the Islands or Foreign Plantations of the King; but that the persons may be sent to receive Trial as before this Act.

XIII. Persons offending against this Act, shall not be Impleaded but within two years after the Offence committed, unless the party grieved be then in prison; and if so, then within two years after the decease or delivery of such person.

XIV. After the Assises proclaimed, none shall be removed from the common Gaol upon any *Habeas Corpus* in pursuance of this Act, but shall be brought before the Judge of Assise in open Court.

XV. Defendants in Suits for Offences against this Law may Plea the General Issue, and give the special Matter in Evidence.

XVI. Persons Committed as accessory before the Fact to petty Treason or Felony or upon suspicion thereof, or with suspicion of petty Treason or Felony, expressed in the Warrant of Commitment, shall not be Removed or Bailed by vertue of this Act.

Hats and Caps.

* I. Stat. 8 Eliz. II. None by himself or any other shall use Hats or Felts with Forcin Wooll or Stuff, unless he hath been Apprentice or Covenant-Servant seven years at least to the Mystery of Hat or Felt-making, in pain to forfeit the Hats or Felts he shall make or cause to be made, and also 5 l. for every month he shall continue.

II. None shall make, sell, or cause to be made or sold, any thing but Hats, nor any Cap of any Woollen Cloth nor Knap, nor cause to be Dyed any Cap with Bark or Swart, but onely with Copperas and Gall, or with Woad and Madder.

III. None shall Full in any Mill any Cap, until it be first well Seared and Closed upon the Bank, and half Thickd (at least) in the Foot-stock.

IV. The Master and Wardens of Haberdashers in London, calling to them one of the Company of Cappers, and another of the Hat-makers, shall have power to Search (in London, and within three miles round) all Cappers and Hatters, and to punish them that offend, by Fines or otherwise, as they do other Offenders in that Company. The like also shall be done by Mayors and other Heads-men in other Cities and Corporations elsewhere.

V. No Hat-maker shall retain above two Apprentices at once, nor use any for less time than seven years, in pain to suffer for every Apprentice otherwise taken a months Imprisonment without Bail, and every such taking shall be void; and the party so taking shall be from henceforth disabled to have any more Apprentices than one.

VI. This Act shall not restrain a Felt or Hat-maker to employ his own Children, nor extend to the making of Hats with Worsted Yarn in Norwich.

* VII. Stat. 1 Jac. 17. The Forfeitures and Penalties given by the Statute of 8 Eliz. 11. and also by this present Statute shall be divided betwixt the King and the Prosecutor.

VIII. None shall make, or cause to be made, any Felt or Hat, unless he hath Served seven years as an Apprentice in Felt-making, neither shall he retain any other than Journey-men who have lawfully Served in that Art, and Apprentices lawfully bound to the same, nor have above two Apprentices at once, nor those for less time than seven years, in pain to forfeit $\text{5 } l.$ for every month he offends contrary to this Statute.

IX. None shall retain in the Art of Hat or Felt-making any person born out of the Kings Dominions, in pain to forfeit $\text{5 } l.$ for every month he so continues him.

X. This Act shall not prohibit Parents, lawfully exercising the said Art, to employ their Sons in their own Houses, so that they be bound Apprentices by Indenture for seven years, which may expire until they attain the Age of 22 years.

XI. Felt-makers at the time of this Statute, and their Servants, may so continue, albeit they have not Served seven years as Apprentices.

☞ Havens, Harbours, and Rivers.

L. Stat. 2 H. 6. 15. None shall fasten Trinks or other Nets over Rivers to the destruction of the Fry of Fish, and disturbance of the common

common Passage of Vessels, in pain to forfeit $\text{5 } l.$ to the King, be it they may use them in seasonable times, so they draw them as other Fishers do their Nets, without fastening them, as aforesaid. And here every mans right of Fishing is saved.

II. Stat. 4 H. 7. 15. The Mayor of London and his Successors shall have the like Conservation and Authority in all the Harbours, Breaches, and Ground overflown, as far as the Water ebbeth and floweth, grown out of the River of *Thames*, (as touching the punishment for using unlawful Nets and Engines) as he hath within the same River.

* III. Stat. 23 H. 8. 18. & 27 H. 8. 23. Two several Acts were made to the same effect, for preservation of the Havens and Ports of *Plymouth*, *Dartmouth*, *Tinmouth*, *Falmonth*, *Fowey*, and other Ports in *Devon* and *Cornwal*: and that none should labour in Tin-works near the fresh Rivers of those Havens: and those who labour in Tin-works should prevent the falling of Stones and Gravel into those Havens, upon a Forfeiture. Also, if any should be troubled in the Stannary for executing this Act, such Suit should be void, and if any should be Imprisoned by the Stannary, he should be discharged by a Justice of Peace: saving the Liberties of the Stannaries. See the Statutes at large.

* IV. Stat. 13 H. 8. 18. No Fish-garths or other Engines shall be set in *Ouse* or *Humber*: and with what Nets Men shall Fish there. See this Statute at large.

* V. Stat. 27 H. 8. 18. If any person do or procure any thing to be done to the annoying of *Thames*, making of Shelves there, Mining, Digging, casting of Dung, Rubbish or other thing thereto, or otherwise howsoever; or convey away any Boards, Scales, Timber-work, Pillars, or other things, from the Banks or Walls thereof, except it be to repair them; or undermine any Banks or Walls there to the damage of the said River: he shall forfeit for every such Offence $\text{5 } l.$ to the King and the Mayor and Commonalty of *London*, to be recovered by the said Mayor and Commonalty.

VI. This Act shall not restrain the taking of Ballast for Ships, the Shelves near the *Thames*, nor to carry away the Gravel, Earth, or Rubbish found in the said Shelves.

VII. Stat. 31 H. 8. 4. The Mayor and Bailiffs of *Exeter* shall break all Wears and other Lets in the River of *Exe*, and shall give to the Owners and Farmers of so much Ground as they shall be the rate of Twenty years Purchase, or so much as shall be adjudged by the Justices of Assize in the County of *Devon*. See this Act at large.

* VIII. Stat. 34 H. 8. 9. None shall cast or unlade out of any Ship or Vessel in any Haven, Road, Channel or River flowing or running to any Port-Town, City, Burrough, or other Town, any Ballast, Rubbish, Gravel, or other Wrack or Filth, but only upon the Land above the full Sea-mark, in pain of $\text{5 } l.$ to be divided betwixt the King and the Prosecutor.

X. Stat. 27 *Elix.* 20. It shall be lawful for the Mayor and Commonalty of *Plymouth* to dig a Trench six or seven Foot broad through all Grounds lying betwixt *Plymouth* and any part of the River of *Now*, for conveying that River thither, and to repair it, and to do all other things necessary for the same, they paying the Owners and Farmers of the Grounds so to be digged the value thereof, to be Assessed by two Justices of Assise. Howbeit that Water shall not be conveyed through any Orchard, Garden, or to the Infrance of any Mill, without the Owners consent.

X. Stat. 27 *Elix.* 21. An Act concerning *Orford Haven* in *Suffolk*.

XI. Stat. 27 *Elix.* 22. An Act for making a new Channel from the City of *Chichester* to the Suburbs there. See these two last Statutes at large.

XII. Stat. 3. *Jac.* 18. An Act for the making of a new Trench to convey the Water from *Cadwel* and *Anwel* to *London*.

XIII. Stat. 4 *Jac.* 12. An Act for the Explanation of the Stat. 3. *Jac.* 18. and to give power to the Mayor and Commonalty of *London* to convey the said Water in a Trunk or Vault.

XIV. Stat. 13 & 14 *Car.* 2. cap. 27. An Act for repairing of *Dover Harbour*. See the Statute at large.

XV. Stat. 16 & 17 *Car.* 2. cap. 12. An Act for making the River *Avon* Navigable from *Christ-Church* to the City of *New-Sarum*.

XVI. Stat. 22 *Car.* 2. cap. 2. An Act for repairing the Haven and Piers of *Great Yarmouth*. Vid. *Yarmouth*.

XVII. Stat. 29 *Car.* 2. cap. 10. Vid. *ibidem*.

✧ Hawks, and Hawking.

I. Stat. 34 *Elix.* 3. 22. A Hawk taken up shall be delivered to the Sheriff, who after Proclamation made in the good Towns of the County, (if challenged) shall deliver her to the right Owner.

II. If the Hawk were taken up by a mean man, and be not challenged within four months, the Sheriff shall retain her, satisfying the party for taking her: But if by a Man of Estate, who may conveniently keep an Hawk, the Sheriff shall restore her to him again, he answering for the Charge of keeping her.

III. If any do take away or conceal a Hawk, he shall answer the value thereof to the Owner, and suffer two years Imprisonment; and in case he be not able to answer the value, he shall remain in Prison a longer time.

IV. Stat. 37 *Elix.* 3. 19. He that steals and carries away an Hawk, not observing the Ordinance of 34 *Elix.* 3. 22. shall be deemed a Felon.

Heath.

Hearth-Money.

I. Stat. 13 & 14 Car. 2. cap. 10. Every Dwelling, and other House and Edifice which is or shall be, shall be charged with the Annual payment to the King and his Successors of 2 s. at Michaelmas and the Annunciation by equal Portions, for every Fire-hearth and Stove.

II. Owners and Occupiers within six days after notice, shall deliver to the Constables or other Officers within whose Precincts their Houses are, and they in Colledges and other Societies to their respective Treasurers or other Officers, an Account under their Hands, of all their Hearths and Stoves: which Officers shall by the last of May 1662, require such Accounts of the Occupiers, and on Receipt, or in Default thereof, or if there be no Occupiers, then within six days after notice in Writing fixed to the Door, shall enter and compare such Accompts, and if no Account be delivered, they shall take information by their own view, on pain to forfeit 4 l. for every weeks neglect, and 40 s. for every Hearth wilfully and falsely.

III. The said Officers at the next Quarter Sessions after the last of May aforesaid, shall deliver the said Accounts, with the Names of those that refuse to give an Account, to the Justices of Peace: who within a month shall cause them to be Enrolled by the Clerks of the Peace, and Duplicates in Parchment under the Hands and Seals of three Justices, to be returned into the Exchequer, upon pain that the Clerk of the Peace forfeit 200 l. for the first months neglect, and for the second lose his Place.

IV. The said Officers shall every half year within six days after the Duty grows due, gather it, and give Acquittances, without taking any thing for them; which shall be a full Discharge to those that pay; and in case of refusal, may Levy the same by Distress and Sale of Goods: and within twenty days after the said Duties shall be due, shall pay what they have received, deducting 2 d. in the pound, to the High-Constables of the several Hundreds, and take Acquittances without paying any thing for the same, and shall then deliver the Names of them that have paid, and of those that have not paid, where no Distress can be had: all which the High-Constables shall within ten days pay and deliver to the High-Sheriffs, deducting a peny in the pound: and they within thirty days after receipt thereof, shall return the same into the Exchequer, deducting 4 d. in the pound, viz. 3 d. for themselves, and 1 d. for the Clerk of the Peace.

V. The High-Sheriff of London and Middlesex, for London and so much of the County of Middlesex as lies within the Bills of Mortality, other than the Inns of Court and Chancery, and the High-Sheriff of Surry for the Burrough of Southwark, and all Sheriffs of any City or Town, being a County of it self, for such Places, respectively shall be Collectors, and the Constables and other Officers shall deliver

Duplicates

Duplicates of the said Accounts of Hearths, &c. to them, who shall Levy the said Duties, and give Acquittances without Fees, and within forty days after the said Duties shall be payable, shall pay the Money into the Exchequer, with the Names of such as make Defaults, where no Distress can be laid, and Deducting 4 d. *at supra*. The Officers of the Exchequer shall discharge such as have paid without Fees, and shall issue out Process against Defaulters.

VI. The said Revenue shall not be charged with any Grant or Pension; all such Grants, and every Clause of *Non obstante* therein, shall be void, and the Grantees accountable to the King, and the Exchequer shall issue out Process accordingly.

VII. Persons prosecuted for what they do in pursuance of this Act, may Plead Not-guilty, and shall have treble Costs if the Plaintiff or Prosecutor be Non suit or Discontinue, or a Verdict pass against him, or Judgment upon a Demurrer.

VIII. Increase and decrease of Hearths and Stoves shall be taken and returned, as the same is directed to be first taken, and where the decrease is, the Owner and Occupier discharged proportionably, without Pleading.

IX. None shall be charged for Arrears, unless the Suit be commenced within two years, and brought to Judgment within four years, and Levied within five years after they are due.

X. None, by reason of Poverty, exempted from payments to Church and Poor, shall be charged by this Act.

XI. If the Minister of the Parish and any one of the Church-wardens or Overseers for the Poor, shall certify yearly under their Hands to the two next Justices of Peace, who shall allow the same, that they believe any House not to be of greater value than 20 s. *per annum*, and that neither the person inhabiting, nor any using the same, hath or occupieth any Lands of 20 s. value *per annum*, nor hath in Lands or Goods to the value of 10 l. the said House shall be discharged for that year.

XII. They that accept any Grant of Money arising by this Act, shall forfeit double the value, the one Moiety to the Poor of the Parish where they inhabit, the other to the Prosecutor.

XIII. Blowing-houses, Stamps, Furnaces, or Kilns, private Ovens, Hearths, or Stoves in Hospitals and Alms-houses, whose Revenue doth not exceed 100 l. *per annum*, excepted.

XIV. The said Duties shall charge the Occupiers onely, and not the Landlords.

XV. None indebted for the Duties aforesaid, shall be thereby privileged in the Exchequer, or to assign any Debt to the King to the satisfaction of the same.

XVI. Stat. 15 Car. 2. cap. 13. The Justices of Peace within their respective Jurisdiction at the next Sessions after Michaelmas next, shall issue Warrants to the High-Constables, or such like Officers, and they to the petty Constables, Tithing-men, &c. requiring them the next Sunday to give notice publickly in the Church, and

and also particularly to every Occupier of any House, &c. to give an Account under his Hand within ten days of all their Hearths and Stoves, &c. to such Constable, &c. who may with two other Inhabitants enter such House, and upon his view compare such Account, and Endorse it accordingly, and shall transmit it within twenty days to the respective High-Constable, &c. with a Book of two Columns; the one of the persons Names and number of Hearths, &c. chargeable, the other of the persons Names and Hearths, &c. not chargeable: which they having compared together, shall transmit within six days to the two next Justices of Peace, who may Examine all the said Officers upon Oath concerning the faithfulness of their acting, and shall within ten days after such Examination, Sign and transmit all to the Clerk of the Peace, who within twenty days shall Engross it in Parchment, to be kept in the respective Places aforesaid, and shall also within two months Engross a Duplicate thereof, which being Signed by him and two Justices of Peace, shall within a month after Engrossment be transmitted into the Exchequer.

XVII. Occupiers of Houses not making such Account, or omitting any Hearth, &c. shall forfeit 40 s. for every Hearth omitted; Petty Constables, &c. not transmitting the same with a Book, as *supra*, or not giving notice, or not comparing the Account with two Inhabitants, shall forfeit 5 l.

XVIII. High-Constables, &c. not comparing the Original Accounts and the said Book, or not transmitting the same, shall forfeit 10 l. one half of all which Forfeitures shall be to the King, the other half to the Prosecutor.

XIX. The annual changing such Officers shall not disable any who shall be Constable, High-Constable, Sheriff, &c. when such Duties shall grow due from Collecting the same, &c. Persons who ought to Collect, Receive, or pay over the said Revenue, shall forfeit 20 s. for every weeks neglect. Where any Petty Constable, &c. may enter any House and Distrain, he may call to his aid two Inhabitants of the Place. Where Sheriffs by 14 Car. 2. cap. 10. are appointed Collectors, they may make their Deputies, under the Seal of their Office, or their own Hand and Seal.

XX. The Treasurers and other Officers of the Inns of Court, Colleges, and other Societies, shall do as Constables are enjoined to do, though without Warrant from the Justices, and under the like Penalties: And Occupiers of Houses, Chambers, &c. within such Societies, shall do all things, and under the like Penalties as Occupiers of Houses, &c. elsewhere.

XXI. The Bailiff of *Westminster*, or his Deputy within *Westminster* and the Liberties thereof, may execute this and the former Act as amply as any Sheriffs who by the former Act are made Collectors, and under the like Penalties, and shall receive the like Rewards. And so likewise the Bailiff of the Burrough of *Southwark*, within the Burrough of *Southwark*, and the Liberties thereof.

XXII. The

XXII. The Lord-Treasurer of *England* and Chancellor of the Exchequer, may make further allowance to the Clerks of the Peace, not exceeding one Penny in the Pound by the year.

XXIII. Stat. 16 Car. 2. cap. 3. The King from time to time, with the advice of the Lord-Treasurer, Chancellor, Under-Treasurer, and Barons of the Exchequer, or any three of them, whereof the Lord High-Treasurer or Chancellor of the Exchequer to be one, may appoint Officers to Collect the Duty arising from Hearths and Stoves, and to view and number them, and examine the Returns made thereof into the Exchequer, or any thing belonging to the same. Any of which persons, together with the Constable, Tything-man, or other proper Officer of the Place, and where such publick Officers are not, without such assistance, may once a year enter into any House, &c. and examine whether there are more Hearths and Stoves than were formerly certified, and how many are increased or decreased; and if they find any variance in the number returned, they and the Constable or other Officer to certify it to the Clerk of the Peace; which after approbation by the Justices of Peace at their Sessions, shall be certified to the Kings Remembrancer in the Exchequer.

XXIV. The Duty shall be paid to such Officers or their Deputies on demand, at the Place where it shall arise: And for default of payment by the space of an hour, the said Officers or their Deputies, assisted as aforesaid, may Levy it by Distress and Sale of Goods, rendering the overplus, Charges deducted; which Charges shall not exceed one moiety of the Duty and Arrears.

XXV. None shall be charged for the said Duty after two years after it is due. If violent opposition or injury to such Officer or his Deputy, in the execution of this Act, be proved by Oath before a Justice of Peace or chief Magistrate of the Place, such Justice, &c. may punish such Offender by Imprisonment, not exceeding a month. Officers formerly appointed to Collect the same, shall be discharged from future Collecting, otherwise than as they are directed by this Act.

XXVI. Persons so employed, shall first give Security, and make Oath before a Baron of the Exchequer, or others authorised to take such Security and Oath by Commission from the Court of Exchequer for due execution; and shall exact no Fee from any Subject, on pain of being disabled to execute the said Employment, and to render treble Damages. They shall Sign Acquittances without Fee, and such Acquittance shall be a final Discharge.

XXVII. If any person relinquish any House, &c. before any of the half-yearly Feasts, the next Occupier shall be charged for the said half year. They that fraudulently conceal Hearths, the same being proved by their Confession, or upon Oath before a Justice of Peace or chief Magistrate, or by their view, shall pay double the value of the Duty to be Levied as aforesaid.

XXVIII. They that divide Houses into several Dwellings, or

Let

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Let them to such as by reason of their poverty may pretend to be exempted from the payment of the said Duty, shall pay the same as they ought to have done before that time. None dwelling in a House with more than two Hearths or Stoves, other than almshouses, shall be exempt by any pretext whatsoever.

XXIX. Differences about Levying Money by virtue of this Act, shall be finally determined by a Justice of Peace or chief Magistrate of the Place respectively.

XXX. Collectors appointed by virtue of this Act, shall pay what they receive into the Exchequer within three months after the Feast of S. Michael or the Annunciation happening next after it was due, on pain to lose their Office. All Officers within their Limits shall give assistance to such Collectors.

XXXI. Such Collectors shall pay to the Petty Constables and Clerks of the Peace, such Allowances as are given them by former Acts.

Heretique.

I. Stat. 29 Car. 2. cap. 9. The Writ *De Heretico comburendo*, with all Proceedings thereon, and all Punishments by death in pursuance of any Ecclesiastical Censures, are from henceforth utterly abolished.

Hexamshire.

I. Stat. 14 Eliz. 13. Hexam and Hexamshire, with the Liberties thereof, shall be within the County of Northumberland.

High ways.

I. Stat. 14 & 15 H. 8. 6. An Act was made for altering of the High-ways in the Wild of Kent. See the Statute at large.

II. Stat. 26 H. 8. 7. The Stat. of 14 & 15 H. 8. shall extend to Suffex.

III. Stat. 37 H. 8. 3. An Act for the keeping of Hostings Lane near Chester in good repair. See the Statute.

* IV. 1 M. Parl. 2. cap. 5. Justices of the Counties of Dorset and Somerset shall Assess those Counties towards the repair of the County lying betwixt Shaftsbury and Sherborn. See the Statute.

V. Stat. 2 & 3 P. & M. 8. The Constable and Churchwarden of every Parish shall yearly upon Tuesday or Wednesday in Easter week, call together some of their Neighbours, and then make choice of two within the Parish to be Surveyers of the High-ways the year following, who shall forthwith take that Office upon them, and to forfeit 20 s. apiece. The said Constables and Churchwardens shall then also nominate four days betwixt that time and Midsummer to be set apart for the amendment of the High-ways, and shall give publick notice thereof in the Church the next Sunday after Easter.

VI. The Officers and Days being thus appointed, every

able Team, or Plough-Land either in Arable or Pasture, is chargeable to send two able Men with a Team and Tools convenient to work 4 hours upon every one of those 4 days, in pain to forfeit 10 s. for every day that Default is made: And every Cottager is bound to work himself, or to find a sufficient Labourer to work for him, as aforesaid, in pain to forfeit 12 d. for every day.

VII. The Surveyers have power to appoint, in stead of a Team, two able Labourers to work as aforesaid, who shall not fail, in pain that the party who shall send them shall forfeit 12 d. for every day that either of them makes Default.

VIII. Stewards in Leets have power to enquire after the breach of this Act, and to set Fines upon such as make Default, at their discretion; and shall within six weeks after Michaelmas deliver Indented Estreats thereof under their Hands and Seals, viz. one to the Bailiff or High-Constable of the Liberry, and the other to the Constables and Churchwardens of the Parish where the Default was made.

IX. In default of Presentment thereof in Leets, the Justices of Peace in Sessions shall enquire thereof, and set such Fines as they or two of them (1. 2^o) shall think fit; whereof the Clerk of the Peace shall also deliver Indented Estreats under his Hand and Seal, in like sort as aforesaid.

X. Their Estreats shall be a sufficient Warrant for the Bailiff or Chief Constable to Levy the said Fines by way of Distress; and if no Distress can be found, or the party do not pay the Fine within twenty days after lawful demand thereof, he or they shall forfeit double so much. All which Fines and Forfeitures shall be employed towards the amendment of the High-ways.

XI. The Bailiff or High-Constable shall yearly betwixt the first of March and the last of April, render unto the Constables and Churchwardens, unto whom the other part of the Estreats was delivered, a true Accompt of the Money received by him, in pain of 40 s. and the said Constables and Churchwardens have power to call the said Bailiff or High-Constable before two or more Justices of Peace (1. 2^o) to pass his Accompt; who have power to Commit him until he shall have satisfied all the Arrearages by him received, five s. in the Pound for his own Fee, and 12 d. in the Pound for the Fee of the Steward or Clerk of the Peace. And in this case, the said Constables and Churchwardens have the same power as their Predecessors had.

XII. Stat. 5 Eliz. 13. It shall be lawful for the Surveyers to dig any Water-course (hurtful to the High-way) into any mans Ditch; or any Rabbish ready digged in or near any mans Quarter; and to dig up Gravel, &c. elsewhere, to dig in any several Ground, or to dig in Houses, Orchards, Gardens and Meadows, or to dig a Pit above ten yards: But if they fill not the place again with Earth (to be done at the Costs of the Parish) within one month after it shall be so digged, they shall forfeit five Marks to the Owner

Owner of the Ground, to be recovered by Action of Debt.

XIII. The Hedges and Ditches adjoyning to the High-way, shall be kept low and scoured, and the Trees and Bushes growing to the High-way, cut down by the Owners of the Grounds which shall be inclosed by the said Hedges and Ditches.

XIV. In stead of the four days appointed by the Statute of 2 & 3 P. M. 8. six days shall hereafter be observed.

XV. The Surveyers, or one of them, shall Present every Default within one month after it shall be made, to the next Justice of Peace, in pain of 40 s. and the said Justice of Peace shall certify the same Presentment at the next general Sessions, in pain of 5 s. where the Justices shall have power to enquire of the Default, and shall set such Fine upon the Delinquent as they, or two of them, (1 Qu.) shall think fit.

XVI. Here, the Presentment of a Justice of Peace in Sessions, on his own knowledge, shall be a good Conviction, whereupon the Justices in Sessions, or any two of them, (1 Qu.) may Assess a Fine as well as upon a Verdict of 12 Men. Howbeit the Delinquent shall here be admitted to his Traverse, as in other cases.

XVII. The Fines Assessed in Sessions shall be Estreated by the Clerk of the Peace, Levied, Accounted, and Employed as by the Statute of 2 & 3 P. M. 8. is provided.

XVIII. Stat. 18 Eliz. 10. A Subsidy-man according to the Goods, or 40 s. in Lands, not chargeable towards the High-way by the Stat. of 2 & 3 P. M. 8. shall find two able Men to labour the Ways, as by the said Statute is appointed.

XIX. Every person having a Plough-Land in several Parishes shall be chargeable with a Team or Draught in that Parish where he dwells: Howbeit having intire Plough-Lands in two Parishes, he shall for every one of them find a Team in the Parishes where they lie, although he be not Inhabitant there.

XX. Every person not scouring his Ditches, or not keeping his Hedges, Trees and Bushes, according to the Stat. of 2 & 3 P. M. 8. shall forfeit for every such Default 10 s. and he that scours his Ditches in the Ground next adjoyning to the Ground which is to the High-way, to the end the Water may have the better passage over the said Ground next the High-way, shall forfeit in every Rod so left unscoured.

XXI. None shall cast the scouring of his Ditch into the High-way, and suffer it to lie there six months, in pain to forfeit 10 s. for every Load: and it shall be lawful for the Surveyers to make such Banks where any such Banks have been heretofore cast up.

XXII. The Penalties forfeited upon this Statute shall be levied by the Surveyers for the time being by Distress and Sale of Goods, and shall be employed towards the amendment of the High-way, but if the Surveyers neglect to do it within one year after the offence committed, the Constable and Churchwardens shall do the same according to the Provisions of the before-recited Statute.

XXIII. *Justices of Assize, Oyer and Terminer, Justices of Peace in*
the County of London, have power to hear and determine the
causes of the said Justices.

XXIV. *Certain Provisions for the repair of Kings Ferry in the*
County of Surrey, and of the Ways leading thereunto.

XXV. *Stat. 39 Eliz. 19. An Act for the repair of the High-*
ways in the Wilds of Suffex, &c. used for Iron-works, wherein Ju-
stices of Peace have power to meddle. See the Statute at large.

XXVI. *Stat. 13 & 14 Car. 2. cap. 2. An Act for repairing the*
High-ways and Sewers, and paving and keeping clean of the Streets
in and about the Cities of London and Westminster, and for reforming
inconveniences and Disorders in the Streets of, and Places adjacent to
the said Cities, and for the regulating and licensing of Hackney-
coaches, and for the enlarging of several strait and inconvenient
streets and Passages. This Act to be in force till the end of the first
Session of the next Parliament expired.

XXVII. *Stat. 13 & 14 Car. 2. cap. 6. An Act for enlarging and*
repairing of common High-ways. This Act shall continue to the end
of the first Session of the next Parliament and no longer. Expired.

XXVIII. *Stat. 15 Car. 2. cap. 1. An Act for repairing the*
High-ways within the Countiees of Hertford, Cambridge and Hunting-
don. Expired as to Cambridge and Huntington.

XXIX. *Stat. 16 & 17 Car. 2. cap. 10. An Act for continu-*
ing of a former Act for repairing the High-ways within the County
of Hertford. See the Statute.

XXX. *Stat. 22 Car. 2. cap. 12. Every Constable or Surveyer*
of High-ways, neglecting to put the Acts touching repairing, &c.
in execution, or wilfully suffering any Wagons or Carts
to pass in any other manner than by this Act is allowed, shall upon
complaint made to a Justice of Peace, by the Oath of one Witness, or
by the Justice himself, be Convicted, and incur such Fine as
the Justice shall impose, not exceeding 40 s. to be Levied by the
Justice or other Officer by Warrant under Hand and Seal
of the Justice, to be employed for the amending the High-ways of
the County or Place where such neglect shall be.

XXXI. *Trustees of Land given for maintenance of High-ways,*
shall Let them to Farm at the most improved yearly Rent
that may be. The Justices of Peace in their open Sessions may or
may not improve and employment thereof (other than of Lands
in Colleges and Halls in either University, that have Visi-
tation of their own) according to the will of the Donor, if they find
the persons entrusted have been faulty.

XXXII. *Persons Convicted as aforesaid, of resisting any employ-*
ment, or Execution of this or any the Acts before mentioned, or
of Goods Distrained by vertue of them, shall forfeit 40 s.
if they pay not within seven days after notice of such Con-
viction, any Justice of Peace near the Place may commit them to
the County Gaol, till payment to the Surveyers of the High-ways
for

for that Parish, for amendment of those High-ways.

XXXIII. Actions for any thing done by means of the High-ways, shall be laid in the proper County: and the Defects may Plea in a general Issue, and if there be a Verdict for the Defendant, the Plaintiff be Non-suit, or Discontinue, the Defendant shall pay reasonable Costs. Where the High-ways cannot be amended before the Nativity of S. John Baptist yearly, they shall be repaired before the Feast of S. Luke, without incurring any Penalty for not doing thereof before the Nativity of S. John Baptist. Defects of repairs of High-ways or Bridges, shall be Presented onely in the County where they lie, nor shall any such Presentment or Indictment be returned till it be Traversed, and that Judgment be thereupon given.

XXXIV. The Occupiers, and where there are none, the Owners of Lands, Houses, &c. adjoining to the High-ways, Streets, in the Suburbs and Liberties of London, Burrough of Southwark, City and Liberty of Westminster, which are or shall be paved, shall be liable to the Scavengers Rates, as by 14 Car. 2. cap. 2. is appointed, and where any Ground lies so as there may be a Dispute who shall amend the same, the Justices of Peace in their Quarter Sessions shall determine it.

XXXV. No Carriage with any Burden (other than such as is employed about Husbandry, and in carrying Hay, Straw, Corn, threstr, Coal, Chalk, Timber for Shipping, Materials for Building, Stones, or Ammunition, or Artillery for the Kings Service) shall go in any High-way with above five Horses at length: and if any go with more Horses or Oxen, they shall all draw in pairs, except one Horse.

XXXVI. Owners of Carriages or Beasts offending, shall pay 40 s. for every Offence, one Third to the Surveyors of the High-ways in the Town, &c. where committed, for the repair of the same, another Third to the Overseers of the Poor of the Parish where committed, and another third to him that shall discover the same, to be Impounded, Levied as the Penalties Imposed by this Act on Constables and Surveyors, for neglecting to put the Laws in Execution.

XXXVII. Where the usage is to carry Materials for such as are employed on backs of Horses, or by other Carriages, the Surveyors shall send them in, with able persons to work with them in the like manner and under the like Penalties as is appointed for Carriages and Teams.

XXXVIII. If any fail to make their Days-labour, or send their Carriages, &c. the Surveyors shall complain to the Justices of Peace, who upon Oath thereof by one Witness shall Levy by Distress and Sale of Goods, for every Day-labourer failing, without a reasonable cause, 1 s. 6 d. for every man and 3 s. and for every Cart with two Men, 10 s. which Penalties shall be employed for repairing the High-ways in every respective County and Parish.

XXXIX. The Surveyors and Orderers of the High-ways

by such persons as by 2 & 3. *M. cap. 8.* is appointed some day in *Christmas-week*, and shall appoint six Surveyors of the High-ways, giving notice before the several Days, (at which Days all persons to the said Work shall attend) and shall make return of the same to the Justices of Peace within a month after every Default, to some Justice of Peace, who shall Present the same at the next Quarter Sessions; and any Person who shall offend against this Act in all cases not particularly directed to the contrary, shall incur the Penalties inflicted by the Laws now in force touching the mending High-ways.

For ten years next following the Justices of Peace in the Counties of *Cheshire* and *Lancashire* upon Presentment of the Jury at the next Quarter Sessions, may by Warrant under the Hands and Seals of the Major part of them, being six at the least, then present, erect new Bridges in High-ways where they judge needful, and repair such as were demolished in the late War: and the Expence thereof may be Levied as by the 22 *Hen. 8. cap. 5. Quod vide*, Title *Bridges*.

An Act for Repealing certain words in a Clause in a former Act of 14 *Car. 2. cap. 6.* Entituled, *An Act for enlarging and repairing the High-ways.*

☞ Holy-days and Fasting-days.

Stat. 2 & 3 *Eliz. 6. 19.* An Act prohibiting Flesh to be sold on Fish-days. But see a greater Penalty inflicted 5 *Eliz. 5. Infra* Title *Fish*.

Stat. 5 & 6. *Eliz. 6. 3.* Holy-days and Fasting-days are hereby Repealed. But 1 *M. Parl. 1. cap. 2.* this Act is Repealed: and in 1 *Jac. 25. 1 M.* is Repealed: And therefore Quære whether this Act is now in force, unless it had been revived by special words.

Stat. 1 *Car. 1.* All concourse of People out of their own Houses for any Pastime whatsoever, as also Bear-baitings, Bull-baitings, Enterludes, common Plays, and all other unlawful Pastimes, are prohibited on the Lords-Day.

The Offender against this Law being thereof Convicted by the Oath of one Justice of Peace, (in the Countrey,) or by a chief Officer (in a Corporation,) or by his own Confession, or by the Oath of two Witnesses, before one such Justice or Officer, shall forfeit the sum of 10 *s.* to the use of the Poor where the Offence is committed, to be levied by Distress and Sale of Goods (upon Warrant from the Justice or Officer) by the Constables or Churchwardens of the Parish; and in case no Distress can be had, the Offender shall sit in the Stocks three hours: but this Offence ought to be prosecuted within one month after it shall be committed. And if the Officer charged, he shall Plead the General Issue, and yet give the Matter in Evidence.

* V. Stat. 3 Car. 1. No Carrier with his Horse, Waggon, his Waggon, Car-man with his Cart, Wain-man with his Wain, or Drover with his Cattel, shall Travel upon the Lords-Day, to forfeit 20 s. for every such Offence.

VI. No Butcher shall kill or sell any Victual upon the Lords-Day, on pain of 6 s. 8 d.

* VII. Here, the Conviction of the Offender, and the Recovery and Employment of the Forfeitures are the same with the former Statute; save onely that here two Witnesses are required, and the Forfeitures may also be recovered by a Profection in the Sessions of the County or Corporation where the Offence was committed: and in that case the Justice or Head-Officer may be the Prosecutor part of the Forfeitures, but not above a third part.

VIII. This Action shall be prosecuted within six months after the Offence committed: here also the Officer may Plead the General Issue.

IX. Stat. 12 Car. 2. cap. 14. All Ministers and their Successors shall annually Celebrate the 29th of May, by rendering Publick Thanksgivings for the Kings Restauration, and all persons shall resort upon that Day to some usual Place where such publick Thanksgivings shall be rendred. Ministers shall give notice to their Parishioners at Morning Prayer the Lords-Day next before, and then read this Act to the People. *Confirmed 13 Car. 2. cap. 11.*

X. Stat. 12 Car. 2. cap. 30. Every 30th of January, which falls upon a Lords-Day, and then the Day after, shall be observed in all Churches and Chappels in the Kings Dominions, as a Day of Fasting and Humiliation for the Murther of King Charles the first. *Confirmed 13 Car. 2. cap. 7.*

XI. Stat. 29 Car. 2. cap. 7. All Laws in force concerning the observation of the Lords-Day shall be put in Execution: and all persons shall on every Lords-Day exercise themselves in Devotion, Piety, publickly and privately: No person shall do any worldly Labour or Business on the Lords-Day; (Works of Charity and necessity onely excepted) and all of the age of fourteen years and upwards, offending in the Premises, shall forfeit 5 s. and no more shall publicly cry, or expose to sale any Wares whatsoever on the Lords-Day, on pain to forfeit them.

XII. No Drover, Horse Courser, Waggoner, Butcher, or any of their Servants, shall Travel on the Lords-Day, on pain to forfeit 20 s. No person shall use or Travel on the Lords-Day with any Wherry, &c. except on extraordinary occasion, to be allowed by the Justice of Peace, or Head-Officer of the Place, &c. on pain to forfeit 5 s. If Offenders in any of the Premises be Convicted by a Justice of Peace of the County, or chief Officer or Justice of the City, Burrough, &c. where, &c. upon his or their Oath, by Confession, or Oath of one Witness, the said Justice, &c. shall give Warrant to the Constables or Churchwardens to seize the Goods Cried or put to Sale, and sell them, and Levy the Penalties by Distress and Sale of Goods, and in case of inability

Offenders in the Stocks for two hours: the Penalties a-
 be employed to the use of the Poor of the Parish, whose
 Offences are committed, saving, that any such Justice or Head-
 may set of them reward Informers, so as such Reward ex-
 ceed not a third part of the Penalties.

III. This Act shall not prohibit Dressing of Meat in Families or
 Cooks Shops, &c. nor Crying of Milk before Nine of the
 Morning, or after Four in the Afternoon.

IV. Prosecutions for any Offence mentioned in this Act must
 within ten days after the Offence committed.

V. If any person Travelling on the Lords-Day be Robbed, the
 Indured shall not be charged. But the Inhabitants, after notice of
 Robbery, or Hue and Cry for the same, shall make pursuit
 according to the Statute of the 27th of the Queen, on pain to for-
 the King as much Money as might have been recovered, if
 the Law had not been.

VI. No persons on the Lords-Day shall Serve any Process, &c.
 in Cases of Treason, Felony, and Breach of the Peace: but
 Services shall be void, and the persons Serving the same shall
 Damages, as if they had done the same without Warrant.

Homage and Fealty.

I. Stat. 17 E. 2. When a Free-man doth Homage to his Lord
 when he holdeth in chief, he shall hold his Hands between the
 of his Lord, and say thus:

*I have your Man from this time forth for Life, for Member, and for
 will Honour, and shall owe you my Faith for the Lands that I hold
 of you, saving the Faith that I owe unto our Lord the King, and to
 our Lords.*

II. When a Free-man doth Fealty to his Lord, he shall hold his
 Hand upon the Book, and shall say thus:

*Heu you, my Lord B. that I P. will be to you both faithful and true,
 and shall owe my Fidelity unto you for the Land that I hold of you, and
 shall do such Customs and Services as my Duty is to you at all
 assigned. So help me God, and all his Saints.*

III. When a Villain doth do Fealty unto his Lord, he shall hold
 his Hand over the Book, and say thus:

*Heu you, my Lord A. that I B. from this day forth unto you shall be
 and faithful, and shall owe you Fealty for the Land I hold of you
 in Villainage, and shall be justified by you in Body and Goods: So help me
 God, and all his Saints.*

Honours.

Stat. 31 H. 8. 5. An Act for the making of the Mannor of
 (with divers Mannors and Lands thereunto annexed)
 Honour, and the King shall have a free Chase and Warren there:

also the Offenders there shall be punishable as in any other Chase; all which are to be in the Survey of the Court of Augmentations. And *Shipton* is annexed unto the Duchy of *Devon* in lieu of *Bisfest* and *Weibridge* taken away by this Act from the Duchy.

II. Stat. 33 H. 8. 37. An Act for the making of the *Manner of Amphihil* in *Com. Bed.* an Honour, and for annexing divers *Manors* in *Com. Bed.* and *Buck.* to the said Honour, with other Articles concerning that Mannor, which said Lands are appointed to the use of the Court of Augmentations.

III. Stat. 33 H. 8. 38. The like for the Mannor of *Gravel* in *Com. North.* See the Statutes at large.

Hops.

* I. Stat. 1. Jac. 18. None shall bring, or cause to be brought into this Realm from Foreign Parts, any Hops deceitfully mixed with any Soil whatsoever, in pain to forfeit the Hops so brought in; neither shall any buy such Hops (so brought in, or growing within the Realm) and employ them in Brewing, in pain to forfeit the value thereof: which said Forfeitures shall be divided betwixt the King and the Profecutor.

Horners.

* I. Stat. 4 E. 4. 8. No Stranger shall buy any *English* Horns unwrought, gathered or growing in *London*, or within twenty four miles thereof. The Wardens of Horners in *London* may search all such Horns belonging to their Mystery in *London*, and within twenty four miles thereof, and in *Sturbridge* and *Ely* Fairs. See the Statute at large. But note that this Statute is Repealed by 1 Jac. 25. Howbeit it is revived in part by 7 Jac. 14. as followeth.

II. Stat. 7 Jac. 14. The Act of 4 E. 4. 8. and every part thereof (except power of Search in the Fairs of *Sturbridge* and *Ely*, and the limitation of such Prices for Horns as they were to be had for the making of the said Act) shall be revived, and be of like force and effect as if it had not been Repealed by 1 Jac. 25.

III. None shall sell *English* Horns unwrought to any Stranger, nor send any such Horns beyond Sea, in pain to forfeit the double value thereof, to be divided betwixt the King and the Profecutor.

Horses, Mares, and Cattel.

* I. Stat. 20 R. 2. 5. None shall take the Horse or Beast of any to serve the King, without the Owners consent, or without Warrant, in pain to be Imprisoned until he recompense the Owner thereof.

* II. Stat. 11 H. 7. 12. None shall convey any Horse or Beast out of the Realm, without the Kings Licence, in pain to forfeit the value thereof.

any Mare above the value of 6 s. 8 d. in pain to forfeit her, the value thereof receiving 6 s. 8 d. for her at the time of the Seizure, and the Mare also is to be forfeited. And here, the Mare immediately after Seizure is to be appraised and sold by the chief Officer there, and her Price (above the 6 s. 8 d.) is to be divided betwixt the King and the Seizer, and the Kings part thereof to be delivered to the Customer of the Port there.

III. None shall convey any Mare out of this Land under three years old, or worth above 6 s. 8 d. and for those he may convey, he shall pay the usual Custom.

IV. For every Mare (above that value) to be Transported beyond the Kings Licence, the Custom shall be 6 s. 8 d. which shall be paid before she be Shipped, in pain to forfeit her.

V. If any at the Port will for any such Mare of under-value give and pay for her, he shall have her, if she were not before taken by the Kings Officer, or the Kings Licence for Transporting her were before obtained.

VI. This Act shall not prohibit any to Transport beyond Sea (without the Kings Licence) any Horse for his own use, he making oath before the Customer or Searcher of the Port that he intends to sell him.

VII. Stat. 27 H. 8. 6. Every one having Inheritance or Freehold in a Park kept for Deer, and a mile about, or his Farmer, shall keep two Mares apt and able to bear Foals, each of them being thirteen Hands high from the lowest part of the Hoof to the highest part of the Shoulder, and each Hand containing four Inches, in pain of 40 s. for every month they want them: And if the Park be four miles about, they shall keep four such Mares, upon the like pain.

VIII. If any of the Mares die, they have three months given them to provide another, without danger of incurring the said Penalty.

IX. They shall not suffer their Mares to be Leapt by any Stoned Horse under fourteen Hands high, in pain of 40 s.

X. The said Forfeitures are to be divided betwixt the King and the Protector.

XI. This Act shall not extend to *Westmorland, Cumberland, and Lancashire*, nor the Bishoprick of *Durham*, nor to Parks where the Inhabitants of the Town next adjoyning have Common.

XII. Spiritual persons may sell the Increase and Breed of their Horses, notwithstanding this Act.

XIII. Stat. 32 H. 8. 13. None shall put to feed upon Forests or Common-Ground, any Stoned Horse, being above two years old, under 14 Hands high from the lower part of the Hoof to the upper part of the Withers, (every Hand containing 4 Inches Standard) in pain to forfeit the same Horse.

XIV. It shall be lawful for any Man to seize to his own use any Stoned Horse of lesser stature, put to feed upon any such Common-Ground, as aforesaid, so that first by the assistance of the Keeper of the

the Ground, or C/assable, Bailiff, Headborough, or other Officer of the Parish adjoining, such Horse be brought to the Pound, and there by the Officer, and in the presence of other sufficient Men, be measured and found lower than the

XV. Those that refuse to measure, or to be present at measuring of such Horfe, shall forfeit 40 s. apiece for every such Default, to be divided betwixt the King and the Prosecutor.

XVI. An Horſe that makes an eſcape into ſuch Common, ſhall not be queſtioned, ſo that he ſlay not above four days after notice thereof given at the Owners Houſe, or in his Pariſh Church.

XVII. Forests and Common-Grounds shall be driven year
Michaelmas, or within 15 days after, by the Keepers or Officers
foresaid, in pain of 40 s. who have also power to drive them
any other time of the year at their pleasure; such power shall
have the Owners of such Grounds: And here, upon the Drive,
any unlikely Tits shall be found, they shall be killed.

XVIII. Justices of Peace in Sessions have power to hear and determine those Offences, but Stewards of Leets only to take the sentiments of them; which they shall certify in at the next Sessions, or to the *Custos Rotularum*, in pain of 40 s.

XIX. None shall put upon Common-Grounds or Common Fields, any scabbed or infected Horse, in pain to forfeit 10s. to the Lord of the Leet.

XX. This Statute shall not restrain keeping of Horses under Statute upon Commons, where Mares are not usually kept.

XXI. Stat. 1 E. 6. 5. None shall convey, sell, or deliver any Horse into Scotland, or any other Foreign Country, (without the Kings Licence, or for his Service in the Wars) in pain to forfeit such Horse, and 40 l. to be divided betwixt the King and the Pursuivant.

XXII. Wardens of the Marches, and Justices of Peace in Scotland, have power to hear and determine these Offences: And it shall be lawful for any of the Kings Subjects to Arrest or Imprison any Scotchman or other that shall convey any Horse contrary to this

XXIII. He that hath the Kings Licence to convey Horses into Scotland, shall (before he so convey them) shew his Licence to the Wardens of the Marches, (to the end that the number of them may be Kalendred) in pain to forfeit his Horses or the value of them, to be divided betwixt the King and the Profane.

XXIV. This Act shall not restrain the Warden of the Ports to give six Horses or Geldings, and no more, to any Ship beyond Sea, being within the Kings Amity: neither shall it impeach the Master of the Kings Horses in any Commodity that earns his Office; nor any other for conveying beyond Sea any Goods not exceeding the value of 10 s.

XXV. Stat. 8 Eliz. 8. The Statute of 32 H. 8. 13. that
restrain the keeping of S.oned Horses of a lower stature in the
Grounds of the Isle of Ely, and of the Counties of Cambridge.

Marhampton, Lincoln, Norfolk or Suffolk, so that the Horses
shall not be not under thirteen Hands high.

XXV. Stat. 21 Jac. 28. The Statute of 32 H. 8. 13. shall not
extend to the County of Cornwall.

Hospitals and Hospitallers.

I. Stat. 2 H. 5. Stat. 1. cap. 1. The Ordinary shall have power
to enquire of, and reform the Foundation Estate and Government of
Hospitals: viz. Those of the Kings Parronage or Foundation, by
Commission, and shall return the Inquisitions thereof into the Chan-
cery; but for those of others he shall do it *Ex Officio*.

II. Stat. 2 H. 6. 2. That the Hospital of S. Leonards in York may
gather their Thraves of Corn as formerly, and upon denial have an
Action of Debt for the same. See the Statute.

III. Stat. 13 Eliz. 17. That the Earl of Leicester may Found an
Hospital in Warwick or Kenelworth, for relief of poor impotent Peo-
ple; which Hospital shall have capacity to purchase Lands in any
County of England, not exceeding 200 l. per annum, and not holden
of the Queen by Knight-Service in Capite, or by Knight-Service not
in Chief.

IV. Stat. 14 Eliz. not Printed; for the assurance of all Grants
made and to be made for the Poor in Hospitals, &c.

V. Stat. 18 Eliz. Two Acts were made, but not Printed, the
one for the Hospital of St. Cross near Winchester, and the other for
one at Leicester.

VI. Stat. 27 Eliz. Also two Acts, (not Printed) the one for
the Hospital of Christ at Sherborn in the Bishoprick, and the other
for that of Eastbridge in Canterbury.

VII. Stat. 39 Eliz. 5. It shall be lawful for any person within
twenty years next ensuing, (by Deed Enrolled in Chancery) to Erect
and Found an Hospital, or House of Correction, to have the same
continue for ever, and for him, his Heirs and Assigns, to place such
Bread and Members, and such number of Poor as they please; which
Hospital or House so Founded shall be Incorporated, and have
perpetual Succession for ever; which Corporation shall have power
to purchase Goods and Chattels, also Lands not exceeding the va-
lue of 200 l. per annum, nor held by Knights Service, or in Chief of
the Queen; and all this without Licence, or the Writ of *Ad quod*
damnum, the Statute of Mortmain, or of any other to the contrary.

VIII. They shall also have power to Sue and be Sued in all Courts,
and to have such a common Seal or Seals as the Founder, his Heirs
or Assigns shall appoint, by which they may Seal all Instruments
which concern the said Corporation.

IX. They shall also be Visited and Ordered by such Person or
Persons as the said Founders, their Heirs or Assigns shall nominate;
according to the Statutes of the Foundation, being not repugnant
to the Laws and Statutes of this Realm; Howbeit the Founder, his
Heirs

Heirs and Assigns, upon the death or removal of any Head or Member, shall have power to place another in their stead.

X. Provided, That all Leases and Estates made by any such Corporation for above one and twenty years, and that in possession, and whereupon the accustomed yearly Rent for the greater part of twenty years before shall not be reserved, and yearly payable, shall be void.

XI. The right of all persons, save of the Founders, their Heirs and Successors, is saved.

XII. This Act shall not enable Infants, Females-covert without their Husbands, or persons not of *sane* memory, to make such Corporations, or to Endow the same.

XIII. No such Corporation shall be made, unless the same be (upon the Foundation thereof) Endowed with Lands of the clear yearly value of 10 *l. per annum*.

XIV. Provided, That the Corporations aforesaid shall not by force of this Act do or suffer to be done any thing in prejudice thereof; but such construction shall be made thereof as shall be most beneficial for the maintenance of the Poor, and for avoiding of all Devices which may be invented or put in ure contrary to the true meaning thereof.

XV. Stat. 39 Eliz. 6. Commissions may be awarded to certain persons to enquire of Lands or Goods given to Hospitals, or other charitable Uses, mis-employed, and to reform them. *But this Act was afterwards Repealed by 43 Eliz. 4. saving for the Execution of Orders and Decrees before made by Commissioners according to the Statute.*

XVI. Stat. 43 Eliz. 4. It shall be lawful for the Lord-Chancellor or Keeper for the time being, and for the Chancellor of the Duchy of Lancaster, (within that Precinct) to award Commissions into any part of the Realm, respectively to the Bishop there and his Chancellor, (if any at that time) and to other persons of good behaviour, authorizing four or more of them to enquire as well by the Oaths of twelve or more lawful Men, as otherwise, of all Grants, Gifts, Augmentations, Limitations and Appointments, and of all Abuses and Mis-employments of all Lands, Tenements and Hereditaments, and of all Goods and Chattels given, limited or appointed to charitable Uses.

XVII. The Commissioners having called the parties interested made enquiry by the Oaths of such twelve Men or more, (from whom lawful challenge may be made by the parties so interested) and set down such Orders and Decrees therein, that the things given to charitable Uses may be faithfully employed, the Orders and Decrees so made (being not repugnant to the Statutes of the Founders or Donors) shall stand firm, and be executed accordingly, until they shall be altered by the Chancellor, Keeper, or Chancellor of the said Duchy respectively, upon complaint made to them thereof by the party grieved.

XVIII. This Act shall not extend to any thing given to any Hall or Colledge in the Universities, or to the Colledges of *Westminster*, *Eaton* or *Winchester*, or to any Cathedral Church, or to any City or Town Corporate, or to any Lands or Tenements given to the Uses aforesaid in any such City or Town, where there is a special Governour or Governours to govern things disposed to such Uses, or to any Colledge, Hospital or Free-School, having special Visitors or Governours appointed by the Founders.

XIX. This Act shall not be prejudicial to the Ordinary or his Jurisdiction.

XX. None having the thing in question, or pretending Title thereunto, shall be either Commissioner or Juror.

XXI. This Act shall not Impeach any Purchaser (*bona fide*) of things given to charitable Uses, not having notice thereof: Howbeit (in that case) the party or parties who have broken their Trust in selling the same, their Heirs, Executors and Administrators, shall make satisfaction by the Decree of the said Commissioners, if they have left Assets, or so far as the Assets so left shall extend.

XXII. The Commissioners shall not meddle with any Lands conveyed or come to the hands of *H. 8. Ed. 6. Qu. Mary* or *Qu. Eliz.* unless the Grant to charitable Uses were made since the beginning of *Queen Elizabeths* Reign.

XXIII. The Orders, Judgments and Decrees shall be certified into the Chancery or Dutchy Court (as the case shall require) under the Commissioners Seals within such times as shall be limited in their Commissions: And the said Lord Chancellor, Keeper, or Chancellor of the Dutchy, (respectively) shall take such order for the due execution of the said Decrees as to them shall seem fit.

XXIV. If the party against whom the Decree is past, conceive himself injured thereby, upon complaint thereof to the said Chancellor, Keeper, or Chancellor of the Dutchy, (respectively) he shall have redress, if there be cause; but if not, they shall award good Costs against him for complaining without cause.

Hounslow-Heath.

1. Stat. 37 H. 8. 2. *Hounslow-Heath in Com. Midd.* which contains 4292 Acres and one Rod of Ground extending into several Parishes, so much thereof as is the Kings Inheritance, and is meet for Tillage, Pasture, Meadow, or other several Ground, shall be of the nature and condition of Copy-hold Land; or the same may be Lett by the Steward of the Mannor at will, or for twenty one years, which the Lessee shall and may improve.

Hull.

I. Stat. 33 H. 8. 33. The Statute of 27 H. 8. 3. (which was made for the taking away of certain Customs that the Mayor and Commonalty of Hull took for Fish) is Repealed: but by this they may take of every person priviledged, for a Last of Herring 40 s. for an hundred of Salt-fish 4 d. and for a Last of Sprats 8 d. and of one not priviledged, for a Last of Herring 2 s. 4 d. for an hundred of Salt-fish 4 d. and for a Last of Sprats 8 d. as they did before.

Hundreds.

I. Artic. super Charr. 14. 28 E. 1. Bailiwicks and Hundreds shall not be Lett to Farm at over-great Sums, whereby the People may be over-charged by making Contributions to such Farms.

Hunters and Hunting.

* I. Stat. 13 R. 2. 13. No Lay-man who hath not Linds of 40 s. per annum, nor Clerk who hath not 10 l. Revenue per annum, shall have or keep any Grey-hound, Hound, Dog, Ferret, Nois Engine, to destroy Deer, Hares, Conies, or any other Gentle Game, in pain of one whole years Imprisonment, which Justices of Peace shall have power to inflict.

II. Stat. 19 H. 7. 11. None shall keep any Deer-hays or Buck-stalls, save in his own Forest or Park, in pain to forfeit for every month they are so kept, 40 s. neither shall any stalk with any Dog or Beast to any Deer, except in his own Forest or Park, in pain of 10 l.

III. None shall take an old Heron without his own Ground, in pain of 6 s. 8 d. nor a young Heron, in pain of 18 s. for which Forfeitures every Man that will may Sue by Action of Debt, or otherwise.

IV. Any two Justices of Peace in Sessions may examine the Offenders aforesaid, and commit them to Prison till they have satisfied the said Forfeitures, whereof the said Justices are to have the tenth part.

* V. Stat. 14. 15 H. 10. None shall trace, destroy or kill any Hare in the Snow: and Justices of Peace in Sessions, and Stewards in Leets, have power to enquire of such Offenders, and shall Assess upon every such Offender 6 s. 8 d. which Penalty assessed in Sessions shall go to the King; but in a Leet, to the Lord thereof.

* VI. Stat. 3. Jac. 13. None shall (without the Owners Licence) kill or chase any Deer or Conies in any Parks or inclosed Grounds, in pain to suffer three months Imprisonment, to pay treble Damages to the party grieved, to be Assessed by the Justices before

before whom he shall be Convicted after the said three months expired, and to be bound with two good Sureties to the good Behaviour for seven years, or to remain still in Prison till he find such Sureties: but here the party grieved (being satisfied) hath liberty to release the Behaviour.

VII. Justices of Oyer and Terminer, Assize and Peace in Sessions, have power to hear and determine these Offences; and Justices of Peace in Sessions (upon Confession and Satisfaction to the party grieved) have power to release the Behaviour.

VIII. If any person, not having 40 *l. per annum* in Lands, or 200 *l.* in Goods, or some inclosed Ground used for Deer or Conies worth 40 *s. per annum* at least, shall use any Gun, Bow, or Cross-bow, to kill any Deer or Conies, or shall keep any Buck-stall, Ferret, Dog, Net, or other Engine, It shall be lawful for any person having Lands worth 100 *l. per annum* to take such Gun, &c. from any such person, and to convert the same to his own use.

IX. This Act shall not extend to any Park or inclosed Ground hereafter to be made or used for Deer or Conies, without the Kings Licence.

X. Stat. 7 Jac. 13. It shall be in the election of the party grieved, whether he will take for Satisfaction 10 *l.* in Money, or triple Damages, as by the Statute of 3 Jac. 13. is limited.

XI. Stat. 13 Car. 2. cap. 10. They that course, kill, hurt, or take away red or fallow Deer in any Ground where Deer are kept, without consent of the Owner, or person chiefly entrusted therewith, or are aiding therein, if Convicted by Confession or Oath of one Witness before one Justice of Peace, being prosecuted within six months after the Offence done, shall forfeit 20 *l.* to be Levied by Distress by Warrant under the said Justices Hand; one moiety whereof to the Informer, the other to the Owner of the Deer: and for want of such Distress shall be committed to the House of Correction six months, or the common Gaol for a year, and not be Discharged till Security given for their good Behaviour one year after their Enlargement.

XII. None punished by virtue of this Act, shall incur the Penalty of any other Law for the same Offence.

XIII. Stat. 22 & 23 Car. 2. cap. 25. Lords of Mannors or other Royalties not under the Degree of an Esquire, may by Writing under their Hands and Seals authorize one or more Game-keepers, who may seise all Guns, Bows, Grey-hounds, Setting-dogs, Lurchers, or other Dogs to kill Hares or Conies, Ferrets, Trampels, Lowbels, Hayes, or other Nets, Hare-pipes, Snares, or other Engines for taking Conies, Hares, Pheasants, Partridges, or other Game, used within such Mannors by persons prohibited by this Act to use the same. Such Game-keepers and others, by Warrant from a Justice of Peace, may search the Houses of such persons so prohibited, and shall be suspected to keep such Guns, Bows, &c. and seise them

them for the use of the Lord of the Mannor, or otherwise
them.

XIV. Persons not having Lands, or some other Estate of Inheritance in their own or in their Wives Right, of 100 l. per annum, for Life or Lease for Ninety nine years of 150 l. per annum, other than the Son and Heir of an Esquire or other person of higher Degree, and Owners and Keepers of Forests, Parks, Chases, or Warrens, Stocked with Deer or Conies, in respect of the said Forest, &c. are declared to be persons not allowed to keep any Guns, Bows, &c.

XV. If any man shall enter wrongfully into Ground kept for breeding Conies, though not inclosed, and chase, take, or kill any against the Owners will, and be thereof Convicted in manner following; they shall render treble Damages and Costs, and be Imprisoned three months, and till they find Sureties for their good Abearing.

XVI. Persons that kill or take in the night-time Conies upon the Borders of Warrens, or on other Grounds used for keeping Conies, except Owners, &c. shall make such Recompence, and within such time as shall be appointed by the Justice of Peace before whom they shall be Convicted, and pay to the Overseers for the Poor of the Parish where the Offence shall be committed, such Sum as the said Justice shall think fit, not exceeding 10 s. in default whereof they shall be committed to the House of Correction, for any time not exceeding a month, and they that use Snares, Hare-pipes, and other Engines, shall be liable to the same Penalties.

XVII. If any persons shall take any Fish by any Device whatsoever in any several Water or River, or shall be assisting thereunto, without consent of the Owner of the said Water, and be thereof or of any other Offence mentioned in this Act, Convicted by Confession or Oath of one Witness within a month after the Offence committed, before any Justice of Peace of the County or Place, every such Offender in stealing, taking, or killing Fish, shall give such Recompence, and within such time as the Justice shall appoint, not exceeding treble Damages; and pay down presently to the Overseers for the Poor of the Parish where the Offence shall be committed, such Sum as the Justice shall think meet, not exceeding 10 s. in default of payment, the same to be Levied by Distress and Sale of Goods by Warrant of such Justice: and for want of a Distress, the Offender to be Committed, not exceeding a month time, unless he enter into Bond with one or more Sureties to the party injured, not exceeding Ten pounds, never to offend in like manner.

XVIII. The Justice before whom such Offender shall be Convicted, may destroy all the Engines wherewith he shall be apprehended or taken.

XIX. Persons aggrieved by any Judgment by virtue of this Act

...shall in the same Court sell them in the Order shall be
...to any Land, Royalty or Fishery be therein concerned.
This Act shall not abridge any Royalty or Prerogative
of the King, nor any part of the Forest Laws of this Realm.

Husbandry.

I. Stat. 4 Jac. 11. The Owners and Farmers of Lands in Mar-
ton, Widenham, Wellington, Sutton S. Michael, Sutton S. Nicholas,
Mans upon Lugge, and Pipe in the County of Hereford, may in-
close some part thereof; with divers other Provisions for the bet-
ter improvement of those Places. For which see the Statute at large.

II. Stat. 7 Jac. 18. All persons within Devon and Cornwall
may fetch Sea-sand for the bettering of their Land.

III. Boat-men may fetch Sea-sand and cast it out of their Boats
where it hath been used to be Landed, and carry the same through
usual ways. See the Statute.

IV. Stat. 15 Car. 2. cap. 5. Vide Trade.

Identitate Nominis.

I. Stat. 12. 3. 2. IF the Lands, Goods or Chattels, of any person (Out-
lawed for want of a good declaration of his Sur-name)
shall happen to be seised by any of the Kings Officers,
he may have a Writ of *Identitate Nominis* to discharge them, as
has been used in times past. And in such case the Officer shall take
Security without Fee of the party, to answer to the King the value
of the thing so seised, if he cannot discharge them: And if the
Officer be Attainted of doing otherwise, he shall pay double Da-
mages to the party grieved, and be also grievously punished to the
King.

II. Stat. 9 H. 6. 4. A Writ of *Identitate Nominis* shall be main-
tainable by Executors, as well as by the Testator himself if he were
living.

Jeofail.

I. Stat. 32 H. 8. cap. 30. After an Issue tried, there shall be
Judgment given, notwithstanding any Jeofail or Mis-pleading.

II. Stat. 18 Eliz. 14. After Verdict given in any Court of Re-
cord, there shall be no stay of Judgment, or reversing thereof for
want of form in any Writ Original or Judicial, Count, Declaration,
Bill, Suit, or Demand, or for want of any Writ Original or
Judicial, or by reason of any imperfect or insufficient Return of
the Sheriff or other Officer, or for want of any Warrant of Attor-
ney, or for any default in progress upon or after *Aid Prayer* or
Indictment.

III. This

III. This Act shall not extend to any Writ, Declaration of Appeal of Felony or Murther, or to any Indictment or Proclamation of Felony, Murther, Treason, or other Murther, or to any Process upon any of them, or to any Writ, Bill, Action, or Information upon any Penal Statute.

IV. Provided, That all Attorneys in any Suit in a Court of Record, shall deliver in the Warrant of Attorney in such Suit, as is Entred or Filed of Record, as by the Law and Statutes of this Realm they ought to do, in pain to forfeit to the Queen to be divided between the Queen and the Officers where the Warrant should have been Filed, and to suffer Imprisonment by the discretion of the Judges of the Court where the Default is made.

V. Stat. 21 Jac. 12. After Verdict given in any Court of Record, the Judgment thereupon shall not be stayed or reversed for any variance in form only between the Original Writ or Bill, and the Declaration, Plaint, or Demand; or for lack of an Averment of the parties Life or Lives, so as it be proved he or they be alive; or for that the *Venire facias*, *Habeas Corpus*, or *Distingas*, was Awarded to a wrong Officer, upon any insufficient Suggestion; or that the *Vifne* was in some part Mis-awarded, or Sued out of more or fewer Places than it ought to be, so as some one Place be right named; or for mis-naming any of the Jurors, either in the Surname or Addition, in any of the Writs or Returns thereof, so as *Constat de persona*; or for want of a Return of any of the said Writs, as a Pannel be returned and annexed thereunto; or for that the Officers Name is not set to the Return, so as it appear by Proof that the Writ was returned by him; or by reason that the Plaintiff was *Ex tunc summe*, or in any Personal Action, being under Age, did appear by Attorney, and the Verdict pass for him.

VI. This Act shall not extend to any Writ, Declaration, or Suit of Appeal of Felony or Murther, nor to any Indictment or Proclamation of Felony, Murder, or Treason, nor to any Process upon any of them, nor to any Writ, Bill, Action, or Information upon any Penal Statute.

VII. Stat. 16 & 17 Car. 2. cap. 8. After a Verdict, Judgment shall not be stayed nor reversed in the Kings Courts of Record at Westminster, Courts of Record in the Countie Palatine of Lancaster, Chester, or Durham, or of the great Sessions in any the Counties Shires of Wales; for want of Form, or for want of Pledges, for not producing any Deed, or Letters of Administration; for want of *Vi & armis*, or *Contra pacem*; or for mistaking the Christian Name, or Sur-name of either parry, Sum of Money, Day, Month, or Year, being rightly named in any Record preceding, or in the same Record, whereto the Defendant might have demurred; nor for want of *Hoc paratus est verificare*, or *Hoc paratus est verificare per Recordum*; or for that there is no right Verdict, or Cause were Tried by a Jury of the Countie or Place where the Action is laid. Nor shall any Judgment after Verdict, Confession

Assionem, or *Relicta verifications*, be Reversed for want of *Assionem*, or *Capiatur*, or because one is put for the other, nor *Idem concessum est*, &c, is Entred for *Idem consideratum est*; nor the increase of Costs after a Verdict in an Action, or Non suit in *Replev*, are not Entred at the request of the party when the Judgment is given, nor Costs in any Judgment Entred by consent of the Plaintiff, and all Defects of the like nature be amended.

III. This Act shall not extend to Appeals of Felony or Murder, Indictments, Presentments, Suits upon Penal Statutes, other concerning Customs and Subsidies of Tunnage and Poundage.

IV. This Act shall continue for three years, and to the end of the next Session of Parliament after. Made perpetual 22 & 23 2. cap. 4.

Act of Wight.

I. Stat. 4 H. 7. 16. None shall take more Farms than one in the Isle of Wight, which one shall not exceed ten Marks in yearly value, in pain of 10 l.

II. If any have several Farms above that value, he shall keep one more of them at his election, so as what he keeps exceeds not the value.

III. Such as have been at charge with their Farms in Fines or suits, shall be indemnified.

Incontinency of Priests.

I. Stat. 1 H. 7. 4. The Ordinary shall punish Priests, Clerks, Religious Men for Incontinency, by Imprisonment, according to the quantity and quality of their Trespas.

Incumbent.

I. Stat. 13 R. 2. 1. The Statute *de clero*, 25 E. 3. 3. touching Examination of the Kings Title to a Benefice, when he Presenteth in anothers Right, is Confirmed: *which see in Advowson*.

II. When the King Presenteth to a Benefice full of an Incumbent, his Presentee shall not be received by the Ordinary, until he hath recovered his Presentment by Law.

III. If the Kings Presentee be received, and the Incumbent put without Process, the Incumbent shall begin his Suit within a year after the Induction of the said Presentee.

IV. Stat. 4 H. 4. 22. Where an Incumbent is put out without Process, he shall be at large to sue for his Remedy by the Statute 13 R. 2. 1. at what time he pleaseth within or after the

Indicavit.

I. Stat. 34 E. 1. No Writ of *Indicavit* shall be granted but the Suit hanging in the Spiritual Court between the Parties Recorded, and that the Lord-Chancellor be certified thereof by sight of the Libel.

Indictments.

I. Stat. 2. cap. 13. 13 E. 1. Sheriffs, Bailiffs of Franchises, and others that take Inquests of Malefactors, shall do it by at least twelve lawful Men, who shall put their Seals to such Inquisitions, and the said Officers shall Imprison such Malefactors.

II. If they Imprison any without such Inquests, the party grieved shall maintain an Action of false Imprisonment against them.

III. Stat. 1 E. 3. Stat. 2. cap. 17. Sheriffs, Bailiffs of Franchises, and other who take Indictments, shall do it by Roll Indictment, whereof one part shall remain with the Indictors, and the other with him that takes them; so as one of the Inquest may have a part thereof to shew to the Justices when they come to make their Verance.

IV. Stat. 25 E. 3. Stat. 5. 14. After one is Indicted for felony before the Justices of Oyer and Terminer, the Sheriff shall be commanded to Attach his Body by a *Capias*; and if the Sheriff return *Non est inventus*, another *Capias* shall issue out (returnable in four weeks) whereby the Sheriff shall have power to seise his Chances and to keep them until the said Return; and then also if the Sheriff return a *Non est inventus*, an Exigent shall be Awarded, and his Chattels shall be forfeit: but if he yield himself, or be taken by the Sheriff or other Officer, before the return of the second *Capias*, his Goods and Chattels shall be saved.

V. Stat. 11 H. 4. 9. No Indictments shall be made but by the Inquest of lawful Men returned by Sheriffs, Bailiffs of Franchises, or other Officers who ought to do it, without having them nominated by other persons to the said Officers: and all Indictments otherwise found, shall be void.

VI. Stat. 3 H. 7. 1. *pars indi.* Justices of Peace may take (at their discretion) an Inquest, whereof every man shall have Lands of yearly value of 40 s. to enquire the concealments of a felony, taken before them or others, of matters Inquirable at the Assizes, and whereof complaint shall be made by the Justices.

VII. Stat. 37 H. 8. 8. *pars indi.* These words, *Vi & armis*, *cum baculis, cultellis, arcibus & sagittis*, or the like, shall not be necessary be put into any Inquisition or Indictment, but they shall be adjudged good notwithstanding those words are therein contained.

Intestations.

11 Stat. 12 R. 2. 13. None shall cause to be cast any Garbage, Dung, intrails, or any other Annoyance, into the Ditches, Rivers, Waters, or other Places within or near any City, Burrough, or Town, or the Suburbs thereof, in pain to be called by Writ before the Chancellor; and, if found guilty, to be punished as his offence.

Informers.

1 Stat. 18 Eliz. 5. An Informer shall exhibit his Suit in proper form, and pursue it by himself, or by his Attorney in Court, and not by way of Information, or Original Action, and shall have no recovery: and all this in pain of 10 l. and the Pillory.

II. A Note of the time of exhibiting the Information shall be made, and from thenceforth it shall be accounted to be of Record: before which time no Process shall issue out upon it.

III. The Clerk that makes out the Process shall Indorse the Informer's Name, and also the Statute upon which the Information is founded, in pain of 40 s.

IV. No Jury shall appear at *Westminster* for a Trial upon any Penal Law, when the Offence was committed above thirty miles from *Westminster*, except the Attorney-General, for some reasonable cause, under the same.

V. No Informer shall Compound with any Defendant before Answer, unless but by consent of Court, in pain of 10 l. and the Pillory.

VI. Where the Informer delays or discontinues his Suit, or otherwise withdraws or Overthrows, the Court shall assign Costs to the Defendant, to be immediately Levied by Execution issuing out of the Court.

VII. Judges of *Oyer and Terminer*, Assize, and Peace in their Sessions have power to hear and determine these Offences.

VIII. This Act shall not restrain Actions brought for Maintenance, Champerty, buying of Title, or Imbracery, nor any certain Person or Body Politick to whom any Forfeiture or Penalty is specially limited, nor certain Officers who have lawfully used to exhibit Informations.

IX. Stat. 29 Eliz. 3. *in fine*. If any shall be Sued upon any Penal Law in the Kings-Bench, Common-Pleas, or Exchequer, where the Person is Bailable by Law, or may appear by Attorney, the person so sued shall at the day contained in the first Process appear by Attorney to defend the same, and shall not be urged to personal appearance, or to put in Bail to answer the same.

X. Stat. 31 Eliz. 10. The said Clause of 29 Eliz. 5. shall only extend to natural-born Subjects, or free Denizens, and none others.

Inrolments.

I. Stat. 6 R. 2. 4. Deeds that were Inrolled, and late torn or imbezled by Rebels in the late Insurrection, being Excepted, shall be of the same force as the Deeds themselves would have been if they had been extant.

II. Stat. 27 H. 8. 16. Bargains and Sales to an use of Inheritance of Free-hold must be by Deed Indented and Inrolled within six months after the Date thereof, in some Court of Record at Westminster, or in the County where the Land lieth, before the *Custos Rotulorum*, two Justices of Peace, and the Clerk of the Peace, or two of them, whereof the Clerk to be one. And here the Fee to be paid for such Inrolment, when the Land is not worth 40 s. per annum, is 2 s. and when it is more, 10 s. to be equally divided between the Justice or Justices then present, and the Clerk of the Peace, who ought to Inroll them in Parchment, and to deliver them with the *Costos Rotulorum* within one year after.

III. This Act shall not extend to Lands, Tenements or Hereditaments in Corporations, where an Officer or Officers there lawfully used to Inroll Deeds or other Writings.

IV. Stat. 34, 35 H. 8. 22. All Recoveries, Deeds Inrolled, and Releases acknowledged or taken before any Officer or Officers of any Corporation, having authority to receive the same, shall remain in force, notwithstanding the Statute of 32 H. 8. 28. which forbids Leafes.

V. Stat. 5 Eliz. 26. All Inrolments of such Writings Indented as are mentioned in the Statute of 27 H. 8. 16. of Lands, &c. in the Counties of Lancaster, Chester, and the Bishoprick of Durham, being Inrolled within six months after the Date thereof, (viz. shall in Lancashire in the Chancery at Lancaster, or before the Justices of Assise there; those in Cheshire in the Exchequer at Chester, or before the Justices of Assise there; and those in the Bishoprick in the Chancery at Durham, or before the Justices of Assise there) shall be as good in Law, as if they were Inrolled in any of the Courts at Westminster.

Intrusion.

I. *Prærog. Reg. Cap. 13.* 17. E. 2. When the Kings Tenant in chief dies, and his Heir enters into the Land before he hath done Homage to, or received Seisin of the King, he shall thereby gain the Free-hold; and if he die seised during that time, his Wife shall be Endowed thereof: as it fell out in the Case of the Wife of the Marshal.

II. Stat. 21 Jac. 14. When the King, or any claiming under his Title, shall be out of possession, or not have received the profits of Lands, &c. within the space of twenty years before any Inrolment

formation of Intrusion brought to recover the same; in this case the Defendant shall plead the General Issue, if he think fit, and shall not be pressed to plead Especially, and shall also retain the Possession thereof, until the Title be found for the King.

III. Where an Information of Intrusion may fitly be brought on the Kings behalf, no *Scire facias* shall issue; whereupon the Subject shall be forced to a special Pleading, and be deprived of the Grace intended by this Act.

Ipswich.

I. Stat. 13 Eliz. 21. The Streets of *Ipswich* in the County of *Suffolk*, and of the Suburbs thereof, shall be Paved with good Pavement-stone, and for ever repaired by the Owners, Landlords or Tenants adjoining to the Street, viz. so much of the said Street in length as his House, Lands, &c. so adjoining extend unto, and in breadth during all the length to the Channel, or to such place as the Channel there shall be appointed by the Bailiffs to extend unto: in default to forfeit for every Yard square not sufficiently repaired, 8 d.

II. The Bailiffs of *Ipswich*, and the Port-men there, the Churchwardens, and four of every Parish, shall have Authority to Tax upon every House, Ground, and Tenement there, (Free and Copy) reasonable Sums of Money to be yearly paid, as well towards the payment of a convenient Stipendary Minister within every Parish, as for the reparation of the Churches.

Ireland.

I. In the Book of *Magna Charta* is an Ordinance for *Ireland* concerning divers Matters, Entituled, *Ordinatio pro Statu Terræ Hiberniæ*.

II. Stat. 17 E. 1. cap. 1. The Kings Officers in *Ireland* shall purchase no Land there without the Kings Licence.

III. cap. 2. Kings Officers in *Ireland* shall make no purveyance there, but by Writ out of Chancery there, or in *England*, and that at the time of necessity onely, and by the advice of the Council there.

IV. Cap. 3. All kind of Merchandises may be Exported out of *Ireland*, except to the Kings Enemies; and if any Officer restrain them, he shall satisfy double Damages to the party grieved, and be punished by the King.

V. Cap. 4. The Fees for every Bill of Grace in *Ireland* under the Great Seal of the Justice there, shall be 4 d. for the Bill; and 2 d. for the return thereof.

VI. Cap. 4. The Marshals Fee for a Prisoner, when he shall be removed, is 4 d.

VII. Cap. 6. No Pardon of the death of a Man, or other Felony,

or for flying for the same, shall be granted by the Justices, but only at the Kings Command, and under his Seal.

VIII. *Cap. 7.* No Officers there shall receive any Original Writ which is not Sealed by the Seal of *Ireland*, or by the Exchange Seal there, of things concerning that Court.

IX. *Cap. 8.* The Justice of *Ireland* shall not delay or adjourn at sight of *Novel Disseisin* there, save only in the County where he is, and while he shall remain there.

X. *Stat. 34 E. 3. 17.* All kind of Merchandise may be Exported and Imported out of, and into *Ireland*, as well by Aliens as by *Nazens*.

XI. *Stat. 34 Eliz. 3. 18.* All persons who have Lands and Possessions in *Ireland*, may freely Import and Export their Commodities thither, and from thence without Impeachment.

XII. *Stat. 1 H. 6. 3.* All *Irish-men* shall avoid the Kingdom, except Graduates, Beneficed Men, Lawyers having Inheritance in *England*, and *English* Parents, Religious persons, professed Merchants, Burgeesses, and others Inhabitants of good fame, and persons Married in *England*: and all they shall find Surety for the good Abearing.

XIII. No *Irish-man* shall inhabit here in the Universities, or elsewhere, without a Testimonial under the Seal of the Lieutenant of the Justices of *Ireland*, Testifying that he is of the Kings Obedience, to be delivered to the Chancellor here, in pain to be punished as a Rebel.

XIV. No *Irish-man* shall be Head or Governour of any Hall or House.

XV. *Stat. 2 H. 6. 8.* *Irish-men* coming to live in *England* shall give Surety for their good Abearing: viz. in the Universities to the Chancellors; in Counties, to the Justices of Peace; and in Corporations and other Liberties, to the Head-Officers respectively.

XVI. *Stat. 16. 17 Car. 30.* An Act for a speedy Contribution and Loan towards the relief of the Kings distressed Subjects of the Kingdom of *Ireland*. See the Statute at large.

XVII. *Stat. 16. 17 Car. 33.* An Act for the speedy and effectual reducing of the Rebels in *Ireland* to their due Obedience to the King and the Crown of *England*. And *Cap. 34. 35.* and 37. wherein other Additional Acts were made for the same purpose, and the sale of forfeited Lands there. All which see at large.

XVIII. *Stat. 32 Car. 2.* The Act made 18 Car. 2. Entitled An Act against importing Cattel from *Ireland*, and other Parts of the Seas, and Fish taken by *Romanes*, is revived, and power is now not only to Constables and Officers, but to every Person whatsoever, in any Place whatsoever, to take and seize the Cattel and Fish Imported contrary to the said Act; and that such Seizer shall have the Benefit given by this Act.

XIX. And to prevent fraudulent Seizures, Sales, and Conveyances

the Seisers shall, within six days after Conviction and Forfeiture, cause the said Cattel, Sheep, and Swine, to be killed, and the Hides and Tallow shall be to the Seiser, and the remainder of the said Cattel, Sheep, and Swine, shall be forthwith distributed amongst the Poor of the Parish, by the Churchwardens and Overseers, upon notice thereof to be given by such Seiser.

XX. If such Seiser, Churchwarden, or Overseer, shall fail in the execution of his said Duty, they shall severally forfeit 40 s. for every one of the great Cattel, and 10 s. for every Sheep or Swine which should have been so killed and distributed, one moiety thereof to the Poor of the Parish, and the other to the Informer, to be Levied by Distress and Sale of the Offenders Goods, by Warrant of any Justice of Peace of the County or Place where the Offence is so committed, upon Confession of the Party, View of the Justice, or Oath of one or more credible Witnesses, (other than the Informer) the overplus to the Owners, necessary Charges of Distraining deducted, and for want of Distress, the Offender to be committed to Gaol for three months without Bail or Mainprize.

XXI. *Proviso*, Not to hinder the Importation of Stock-fish, or other Fish.

XXII. That after the said second of *February*, no Mutton or Lamb shall be Imported; and that all that shall be Imported shall be subject to the like Seisures, and the Importers and Sellers to the like Penalties appointed by any former Act against the Importer or Seller of any Beef, Pork, or Bacon.

XXIII. That after the said second of *February*; no Butter or Cheese shall be Imported from *Ireland*; and if Imported, or exposed for Sale, shall be liable to the like Seisures, and the Importers and Sellers to the like Penalties as are appointed in any former Law against the Importer or Importation of Beef, Pork, or Bacon.

XXIV. If any great Cattel, Sheep, or Swine, shall be once or oftentimes seized, and afterwards by permission, connivance, negligence, or otherwise, removed and found alive in any other Parish or Place, they shall be liable to like Seizure, and the Seiser and Poor of the Parish or Place to the like Benefit, and the Cattel, Sheep and Swine, shall be forfeited; and the proof incumbent upon the Owner, as if such Cattel had never been seized before.

XXV. If any *English* or other Cattel, driven or intermixed with Irish Cattel, shall be seized together with them, such Cattel shall be forfeited, and shall be subject to like Forfeiture, and be ordered to be disposed in all respects as if they were *Irish*.

XXVI. *Proviso*, That nothing therein shall extend to the Forfeiture or Seizure of any Cattel that are or shall be in *England* before the said second of *February*.

✧ Iron.

* I. Stat. 28 *Elix.* 5. Iron made in *England*, or brought into *England* and sold, shall not be Exported, in pain to forfeit the value thereof to the King.

II. Justices assigned have power to inquire of Labourers: And other Justices to be assigned by the King shall also have power to inquire of such as sell Iron at too dear a Price, and to punish them according to the quantity of the Trespas.

✧ Judgments.

I. Stat. 13 *E. 3.* Stat. 1. 5. A Prelate, two Earls, and two Barons shall have power by the Kings Commission to hear (by Petition) Complaints for delay of Entering Judgments, and to call before them the Justices and Records whereof such Complaint shall be made, and calling to them the Chancellor, Treasurer, the Justices of the one Bench or the other, and others of the Kings Council, (as many as they shall think fit) shall give Judgment thereof, and then the Records shall be remanded together with the Judgment, which shall be immediately Entred accordingly.

II. In case the matter be too difficult, it shall be referred to the next Parliament to be determined.

III. Judges and other Officers in Courts of Justice may be increased or diminished, as need shall require, and when they shall enter into their Offices, they shall make Oath duly to serve the King and his People.

IV. Stat. 4 *H. 4.* 23. Judgments given shall continue, and the parties for whom they are so given and their Heirs shall be in peace until they shall be Attaint of Error, if any be.

✧ Jurisdiction.

I. *Writ. Cleri. Cap. 6. 9 Elix. 2.* Albeit a Case be Debated and have Judgment in the Spiritual Court, yet the Kings Council may afterwards Discuss the same Matter, as the Party shall think expedient for himself.

II. Stat. *Pro Clero, 25 E. 3. Stat. 3. Cap. 8.* Cognizance of avoidance of Benefices belongs to the Ecclesiastical Judge, and not to the Temporal.

Juris Utrum.

I. *Writ. 1. Cap. 24. 13 E. 1.* A Writ of *Juris utrum* shall be granted to try whether free Alms belong to one Church or another, in case where they are transferred from one Church to another.

Jurors.

I. *Marlb. Cap. 14. 52 H. 3.* Such as have Charters of Exemption not to be Impannelled upon Juries shall (notwithstanding their Privilege) be Sworn upon great Assises, Perambulations, in Deeds and Writings of Covenants, (where they be named for Witnesses), and in Attaints, and when their Oaths are so requisite that without them Justice cannot be Administred.

II. *Cleff. 2. Cap. 28 Eliz. 1.* No more Jurors shall be summoned in one Assise than twenty four. Also old Men above the age of seventy, or sick or diseased at the time of the Summons, or not dwelling in the Country, shall not be put in Juries of petit Assises; neither shall any be put in Assises or Juries that have not Land worth 20 *s. per annum*; and if the Assises or Juries be taken out of the County, their Revenue shall be 40 *s. per annum* at least, except such as be Witnesses to Deeds or other Writings, and he able to Travel.

III. This Statute shall not extend to great Assises, where many times Knights are to be Impannelled: for they (by reason of their scarcity) may Serve, albeit they dwell out of the Country, so they have Land in the County for which they Serve.

IV. No Sheriff, Under-sheriff or Bailiffs shall offend against this Law, in pain to answer Damages to the party, and to be Amerced to the King.

V. Justices of Assise have power to hear and determine these Offences.

VI. *Stat. 21 Eliz. 1. Stat. 1.* None shall be Impannelled to Serve out of their proper Counties, unless they have Lands worth 5 *l. per annum* at least; nor in the County, unless they have Lands worth 40 *s. per annum*.

VII. This Statute shall not extend to Juries taken before Justices Itant, nor to Corporations; but that they may do as in times past.

* VIII. *Artic. super Chart. Cap. 9. 28 E. 1.* None shall be Impannelled but as is ordained by Statute, and they shall be next Neighbours, most sufficient, and least suspicious; in pain that the Officer who doth otherwise shall answer double Damages to the party grieved, and be grievously Amerced to the King.

IX. *Stat. 5 E. 3. 10.* If a Juror take a Bribe of either party, and be thereof Attainted, he shall Serve no more of any Jury, be Imprisoned, and Ransomed at the Kings will; and the Justices before whom he Serves, shall have power to hear and determine this Offence according to this Statute.

X. *Stat. 25 E. 3. Stat. 5. cap. 3.* No Indictor shall be put upon the Inquests, for the deliverance of the Indictor of Felony or Trespas, if he be challenged by the Indictor for that cause.

XI. *Stat. 34 E. 3. 4.* Sheriffs and others shall array their Panels of the next People, not suspected nor procured, in pain to be

be punished by the Justices that take such Inquests both King and the party grieved, according to the quantity of the loss and Damage.

XII. Stat. 34 E. 3. 8. If any of the Jurors be accused by either of the parties for taking a Bribe to give his Verdict, the Justice may presently try it by a Jury then also to be taken.

XIII. If he be prosecuted by any other than one of the parties, he shall have the Fine; but if by one of the parties, he shall recover Damages by the Assessment of the Inquest so taken. The Suit may also be prosecuted before other Justices in form aforesaid.

XIV. Stat. 2 H. 6. Stat. 1. cap. 3. None shall be admitted to pass in an Inquest upon Trial of the death of a Man, or between party and party in any Plea real or personal, whereof the Debt or Damage declared amounts to forty Marks, unless he have Land or Tenements of the yearly value of 40 s. besides Reprises, Challenge thereof being made by the party.

XV. Stat. 8 E. 4. 3. Every Juror Impannelled and Returned within *Middlesex* in any of the Courts at *westminster*, at every fourth day of the Return thereof shall be called, who then appearing, his Appearance shall be Recorded, and he shall not be Amerced nor lose Issues that day in that Suit.

XVI. No Default, Essoin, or other delay of either party (Plaintiff or Defendant) in any personal Action (by the Law heretofore used) shall by this Ordinance be prejudiced or taken away in any manner; but shall be adjudged and allowed in as ample manner as they were before the making of this Act.

* XVII. Stat. 1 R. 3. 4. No Bailiff or other Officer shall Return or Impannel any person upon any Inquiry at the Sheriffs Turn, but such as are of good Name and Fame, having Lands and Tenements in the same County, viz. Free-hold of 20 s. and Copy-hold of 26 s. 8 d. per annum; in pain that the Bailiff or other Officer shall forfeit for every person so Returned or Impannelled not of the sufficiency aforesaid, 40 s. for every time, and the Sheriff 40 s. more; which said Forfeitures may be recovered by Action of Debt, and shall be divided betwixt the King and the Prosecutor.

XVIII. Stat. 4 H. 8. 3. For Issues lost by Jurors in London, given to the Mayor and Sheriffs there by the Statute of 11 H. 7. 21. (which see in Areatint) the said Mayor and Sheriffs and their Successors may Distrain respectively, viz. the Mayor for his, and the Sheriffs for theirs.

XIX. The Sheriffs of London have power to Return Pannels of Jurors in Suits depending in any of the Courts at *westminster*, and Triable in London, being Citizens, and having Goods of the value of a hundred Marks, who shall Seize and be Sworn in like manner as if they had Lands and Tenements of 20 s. per annum.

* XX. The

XX. The Sheriff of London shall Return upon the first Distress upon every Juror 20 s. and upon the second Distress 40 s. and upon every other Distress after that the double, until a full Jury appear and be Sworn, in pain of 10 l. to be divided betwixt the King and the Prosecutor.

XXI. Stat. 5 H. 8. 5. The Statute of 4 H. 8. 3. (as to the Writs to be set upon Jurors) shall be understood onely of Writs of Distress before Justices or Justice of *Nisi prius*, in Suits depending in the Courts at *Westminster*, and Triable at *St. Martins le grand* in the City of London, and not of other Writs or Processes issuing out of the said Courts.

XXII. Stat. 23 H. 8. 13. Trials of Felons in Corporate Towns may be by Free-men of the same Corporation worth 40 l. in Goods, albeit they have no Free-hold.

XXIII. This Act shall not extend to any Knight or Esquire dwelling or resorting in or to any such Town.

XXIV. Stat. 45 H. 8. 6. Where such persons as should pass upon the Trial of any Issue in any of the Courts at *Westminster* ought to have Free-hold worth 40 s. *per annum*, the Writs shall be in this Form, *Rex, &c. precipimus, &c. quod Venire facias coram, &c. 12 libris & legales homines, &c. quoniam quilibet habeat 40 solid. terr. ten. vel redd. per annum ad minus, &c. et si veritas, &c.* But when that is not requisite, the Clause, *Quoniam quilibet habeat 40 solid. terr. ten. vel redd. per annum ad minus*, shall be omitted.

XXV. Upon every Writ of *Nisi prius* that hath the said Clause, *Quoniam quilibet, &c.* the Sheriff or other Officers shall not Return any having less than 40 s. *per annum* Free-hold out of ancient Demesne, and in the same County where the Issue is to be Tried, in pain to forfeit for every one otherwise Returned, 20 s. They shall also Return six Hundredors at least, if there be so many in the Hundred where the Venue lieth, in pain to forfeit for every Hundredor not so Returned, 20 s. And in every such Writ wherein that Clause is omitted, they shall not Return any, unless he may dispend some Land or Tenements out of ancient Demesne, and in the said Hundred, and also six Hundredors there, upon the like pains.

XXVI. Upon every Writ of *Habeas Corpora*, or *Distringas*, with a *Nisi prius*, the said Sheriff or other Officer shall Return Issue upon every Man as followeth; viz. upon the first Writ 3 s. upon the second 10 s. upon the third 13 s. 4 d. and upon every other Writ afterwards 26 s. 8 d. in pain of 3 l.

XXVII. In every such Writ of *Habeas Corpora*, or *Distringas*, if a full Jury appear not, or being full, fall short by Challenge, the Justices (upon request of either party) may command the Sheriff or other Officer to name so many others then present as may make the Jury full, who shall be added to the former Pannel, and their Names annexed thereunto.

XXVIII.

XXVIII. The parties may have their Challenge to these *de circumstantibus*, and the Justice may proceed to try the Issue by them, together with the others returned, as well as if such *Tales* had been returned upon such *Habeas corpora* or *Distingas*, and in such case the Trial shall be as effectual as if it had been tried by twelve of the Jurors returned.

XXIX. If any of the *Tales* being present do not appear, or after appearance withdraw himself, the Justices may set a Fine upon him, to be Levied as Issues of Jurors use by the Common Law.

XXX. Albeit the Jury be made full by the *Tales*, yet the Juror that made default shall lose Issues, as if the Jury had remained defective for want of Jurors.

XXXI. Upon a reasonable excuse (for default of a Juror) proved by two Witnesses before the Justices, they may discharge the Issues lost, and in that case the Sheriff or other Officer shall not incur the Penalty for not returning Issues: Also upon the not coming of the Justices the Jurors shall be discharged of their Issues, and the Sheriff or other Officer of their Penalties.

XXXII. If upon any *Habeas Corpus* or *Distingas* any Juror be not lawfully Summoned or Distrained, the Sheriff or other Officer shall lose double the Issues returned upon such Juror.

XXXIII. The said Forfeitures (not Issues) shall be divided betwixt the King and the Prosecutor.

XXXIV. The right of others to Issues so forfeited, is saved.

XXXV. The Act shall not extend to any Sheriff or Minister of a Corporation, so that they return like Issues as before are limited.

XXXVI. Stat. 4 & 5 P. M. 7. A *Tales de circumstantibus* may upon request for the King or Queen by any authorized thereunto, or assigned by the Court, or upon request by the Prosecutor or his Attorney, and by the command of the Justices of Assise or *Nisi prius*, be granted in a Suit commenced upon a Penal Statute.

XXXVII. The Statute of 35 H. 8. 6. shall be interpreted to give like Advantages to the King and Queen and Prosecutor, as it doth there to the Plaintiff, as if such Suits for the King had been there particularly mentioned.

XXXVIII. Stat. 5 Eliz. 25. *Tales de circumstantibus* shall be grantable in the twelve Counties of *Wales*, and the Counties Palatine of *Chester*, *Launcester*, and *Durham*, being of the same effect with the Statute of 35 H. 8. 6. See the Statute at large.

XXXIX. Stat. 14 Eliz. 9. In case the Plaintiff or Defendant forbear or refuse to pray a *Tales*, it shall be granted (by the Justices of *Nisi prius* in England, or those of Oyer or Assise in *Wales*, *Chester*, *Launcester*, and *Durham*.) at the Prayer of the Defendant or Tenant; and that as well in Suits upon Penal Laws, as upon other Trials.

XL. Stat. 27 Eliz. 6. The ability of Jurors returned upon Trials

Tryal ordained by the Statutes of 1 H. 5. Stat. 2. cap. 3. and 35 H. 8. 61 to be 40 s. per annum, is increased to 4 l. per annum, upon the like pain of 20 s. to be forfeited by the Sheriff or other Officer for every Juror otherwise returned; and in that respect the Writs shall be *Quorum quilibet habet quatuor libras, &c.*

XLII. Here the Issues to be returned shall be as followeth, *viz.* upon the first Writ 10 s. upon the second 20 s. upon the third 30 s. and the double of 30 s. afterwards, until a full Jury be sworn, or the process otherwise cease: in pain that the Sheriff or other Officer shall forfeit 5 l. for every Juror returned with less issues set upon him.

XLIII. Upon issues lost by a failer of lawful summons the Sheriff or other Officer shall forfeit the double issues.

XLIII. The Sheriff or other Officer that takes a bribe, and agrees to take it directly or indirectly, for the sparing of a Juror, shall forfeit 5 l. to be divided betwixt the Queen and the Prosecutor.

XLIV. Upon any Tryal two Hundredors shall be hereafter deemed sufficient, notwithstanding any challenge hereafter to be made against the same.

XLV. All lawful challenges shall be admitted, notwithstanding this Act; neither shall it extend to Juries in Corporations or Wates.

XLVI. Stat. 16 & 17 Car. 2. cap. 3. An Act for the returning of able and sufficient Jurors. *Exp.*

Justice and right, and Justices.

I. Stat. 2 E. 8. No command shall be made under the great or little seal to disturb or delay common right, and the Justices shall proceed to do right, notwithstanding such commands.

II. Stat. 18 E. 3. Stat. 3. 1. The Oath to be given to Justices, when they take their places, is to this effect; *viz.* To serve the King in their Offices, to warn him of any damage, do Justice, take no bribe, give no counsel where he is a party, maintain no Suit, nor deny Right (though by command from the King) to procure the King's profit, and to be answerable to the King in Body, Lands, and Goods, if found in default.

III. Stat. 20 E. 3. 1. The Kings Justices shall do Right to all without respect of persons, notwithstanding the Kings Letters or Commands to the contrary; and if any such be, they shall acquaint the King and his Council therewith: they shall take no Fee but of the King, nor give Counsel where he is a Party; and if they do amiss, they shall be at the Kings will in Body, Lands and Goods.

IV. Stat. 20 E. 3. 2. The like is commanded to the Barons of the Exchequer, and to dispatch Busineses depending before them without delay.

V. Stat. 20 E. 3. 3. Justices assigned by Commission, Assize and Gaol delivery, and their Associates, shall make such return as shall be enjoined them by the Kings Council or the Chancery before their Commissioners be delivered unto them.

VI. Stat. 1 Jac. 10. None shall take any money or provision for the report of any Order or Cause referred unto them by any of the Kings Judges or Court, directly or indirectly, in pain of 5 *l.* and to lose his Office or Place in the same Court.

VII. The Forfeiture is to be divided betwixt the King and the Party grieved, if he will sue for it; but if not, then betwixt the King and any other Prosecutor.

VIII. This Act shall not prohibit the Clerk from taking for his pains in writing the Report, viz. 12 *d.* for the first sheet, and 1 *d.* a piece for the rest.

Justices in Eyre.

I. Mart. 24. 25 H. 3. Justices in Eyre shall not amerce Townships, because all of twelve years of age came not before the Sheriffs and Coroners to make enquiry of Robberies, House-burnings, and other offences against the Crown, so that a full Inquest of the Towns appear: Howbeit, upon an Inquest for the death of a man all of twelve years of age ought to appear, unless they have some reasonable cause of absence.

II. West. 1 cap. 18. 3 E. 1. The common Fine and Amendment of the whole County in Eyre of the Justices for false Judgments or other Trespas, shall hereafter be assessed by the said Justices upon the Oaths of Knights and other honest men, and not by Sheriffs and Barretors, as in times past hath been used: And the said Justices shall cause the parcels thereof to be estreated into the Exchequer, and not the whole Sum only.

III. West. 2. cap. 10. 13 E. 1. Justices in Eyre (in their Circuit) shall appoint a certain time before which all Writs shall be returned in, and then the Sheriff shall certifie the chief Justice in Eyre how many Writs he hath, and what they concern; after which time they shall not be received, or (if received) shall have no effect except Writs that abate during the Circuit, which may be made also except Writs of Dower of men dying within the Summons of the Circuit, Assizes of *Darrein presentment*, and *Quare impedit* in Churches vacant within the said Summons) and of *Novus assensu*.

Justices of Assize.

I. Stat. Justic. Assisarum, inserti temporis. There shall be appointed and discreet Justices assigned to take Assizes and Certificates throughout the Realm; viz. Two in the County of York, Northumberland, Westmorland, Cumberland, Lancashire, Cheshire, and Darby; two in the Counties of Lincoln, Leicester, &c.

Salisbury, Bath, Northampton, Rutland, Gloucester, Hereford and Worcester; two in the Counties of Cornwall, Devon, Somerset, Dorset, Wiltshire, Southampton, Oxen, Berks, Sussex, and Surrey; and two in the Counties of Kent, Essex, Suffolk, Norfolk, Cambridge, Huntingdon, Bedford, and Buckingham.

II. Assizes, Juries and Inquests of *Middlesex*, shall be taken before the Justices of the Bench.

III. The said eight Justices so assigned, shall daily attend for that purpose at such places as they shall think fit, and most for the ease of the people; and Writs of Assizes, Juries, or Recognizances, shall be granted to be taken before none but them, save of the special grace of the King.

IV. Stat. 20 E. 3. 6. Justices of Assize have power to enquire of the misdemeanours of Sheriffs, Escheators, Bayliffs, and other Ministers, Imbracors and Jurors, and to punish such as be found guilty: And the Chancellor and Treasurer are to hear all complaints thereof, and to apply speedy remedy thereunto.

V. Stat. 6 R. 2. 3. Justices of Assize and Gaol-delivery shall hold their Sessions in the chief Towns of every County, where the Shire-Courts there use to be holden.

VI. Stat. 8 R. 2. 2. No man of Law shall be Justice of Assize or Gaol-delivery in his own Country; and the Chief Justice of the Common Bench, shall be assigned amongst others to take Assizes, and to deliver Gaols; but as to the Chief Justice of the Kings Bench, he shall be as for the most part of one hundred years last past hath been wont to be done.

VII. Stat. 11 R. 2. 11. Because it was found inconvenient to the Subject, that Justices of Assize should be bound to hold their Sessions where the Shire-Courts use to be held, the Chancellor, by the advice of the Justices, shall have power to order that otherwise, as need shall be, notwithstanding the Statute of 6 R. 2. 3.

VIII. Stat. 20 R. 2. 3. No Lord nor other shall sit upon the Bench with the Justices of Assize, in pain of great Forfeiture to the King, and the Justices there commanded not to suffer it.

IX. Stat. 11 H. 4. 3. Justices of Assize shall deliver into the Treasury the Records of Assizes of *Novel disseisin*, *Mortdancestor*, and *Writ of Right*, every second year after the Plea determined and judgment given; and those Records shall not be amended or improved after judgment given and recorded.

X. Stat. 24 H. 6. 3. The Sessions of the Justices of Assize and Gaol-delivery in *Cumberland* shall be holden (in the time of Peace and Truce) in the City of *Carlisle*, and not elsewhere, according to the Statute of 6 R. 2. 5.

XI. Stat. 37 H. 8. 24. No Justice or other learned in the Law shall be Justice of Assize in the County where he was born, in pain of 100 l. to be divided between the King and the Justiciar.

XII. This

XII. This Statute shall not extend to the Clerk of Assize, or to any Associate, or to any such Justice of Assize:

XIII. Neither shall these words, *Justices of Assize*, or words *learned in the Law*, extend to Officers in Corporations, but that they may be Justices of Assize of fresh force, or other Assizes, in the places where they dwell or were born.

XIV. This Act shall not be prejudicial to any Justice of the one Bench or the other, for hearing and determining Assizes in their Courts, nor to any Justice that shall take any Assize by adjournment for difficulty thereof.

XV. The Clerk of Assize shall not (during the Sessions) be of Counsel to any within the Circuit, otherwise than as to his Office appertains, in pain of 10 l. to be divided betwixt the King and the party grieved.

XVI. This Act shall not extend to Justices Clerks nor Clerks of Assize within the Duchy and County Palatine of Lancaster.

Justices of both Benches.

I. *Chief. 1 Cap. 45. 3 E. 1.* One Plea shall be decided by the Justices of the Kings Bench, before another be commenced; yet *Assoins* shall be entred and allowed, but let none presume to absent himself at the day to him limited.

II. *Stat. 10 H. 6. Statutum per se.* The Justices, Serjeants, and the Kings Attorney, shall be paid their wages by the Treasurer of England at Easter and Michaelmas by even Portions, without any other Suit. *But this Statute is not in the printed Book of Statutes.*

Justices of Gaol-delivery.

I. *Stat. de finibus levatis, Cap. 2. 27 E. 1.* Justices of Assize presently after the Assizes taken shall deliver the Gaols: but if one of them be a Clerk, the other that is Lay, associating with him one of the most discreet Knights of the County; shall deliver the Gaols.

II. The Justices shall then also inquire, whether Sheriffs or others have let out by Plevin any Prisoners not pleviable, or have offended in any thing against the Statute of *Writ. 2. 13 E. 1.* and shall punish them according to the form of the said Statute.

III. *Stat. 2 E. 3. 2.* Justices of Gaol-delivery and *Oyer and Terminer* procured by great men shall not be made against the form of the Statute 27 E. 1. *Cap. 3.* And Assizes, Attraints, and Continuances shall be hereafter taken before Justices commonly assigned, being good and lawful men, and having knowledge in the Law, and before none other, according to the Statute of *29 E. 1. which see in Oyer and Terminer I.*

IV. *Stat. 4 E. 3. 2.* Good and discreet persons shall be assigned in all Shires of England to take Assizes, Juries, and Commissions.

and to deliver the Gaols three times in the year at least.
 V. There shall also be assigned good and lawful men in every County to keep the Peace; and such as shall be indicted or taken by them, and are not bailable by Law, shall not be let to main-prise by the Sheriff or any other Minister, nor otherwise delivered then at the Common Law.

VI. Justices of Gaol-delivery shall have power to deliver the Gaols of those that stand indicted before the Keepers of the Peace, which Keepers shall send those Indictments before the Justices of Gaol-delivery, who shall have power to inquire of and punish Sheriffs, Gaolers and others, which do any thing against this Act.

VII. Stat. 17 R. 2. 10. In every Commission of Peace, two men of Law of the same County shall be assigned to go and proceed to the deliverance of Thieves and Felons.

✧ Justices of Peace.

I. Stat. 1 E. 3. Stat. 2. 16. The King wills, that in every County good men and lawful, which be no maintainers of evil, or Barretors in the County, shall be assigned to keep the Peace.

II. Stat. 4 E. 3. Stat. 1. Cap. 2. Two or three of the best of reputation in the Counties shall be assigned Keepers of the Peace by the Kings Commission, who (together with other wise and learned in the Law) shall have power to hear and determine Felonies and Trespases done in the same Counties, and to inflict punishment according to Law and Reason.

III. Stat. 34 E. 3. 1. There shall be assigned in every County for the keeping of the Peace, one Lord, and three or four of the most worthy of the County, with some learned in the Law, who shall have power to arrest and chastise Rioters, Barretors, and other Offenders, and also to imprison and punish them according to Law, and by discretion and good advisement; also to bind people of evil fame to the good behaviour, and to hear and determine Felonies and Trespases done in the same County according to Law.

IV. Writs of *Oyer* and *Terminer* shall be granted according to the Statutes thereof made, and the Justices thereof shall be named by the Court, and not by the Party.

V. All general inquiries heretofore granted within any Seigniorie (or the mischiefs done thereby) shall from henceforth cease and be repealed.

VI. The Fines imposed by Justices of Peace for Trespases shall be reasonable and just.

VII. Stat. 36 E. 3. 12. In the Commissions of Justices of Peace and Labourers express mention shall be made, that they shall keep their Sessions four times in the year; viz. one within the week or Octabis of Epiphany, the second within the second week of June, the third betwixt the Feasts of Pentecost and St. John Baptist, and the fourth within eight days of St. Michael.

VIII. Stat. *Canterbr. cap. 10. 12 R. 2.* In every Commission there shall be but six Justices assigned, who shall keep their Sessions every Quarter at least, in pain to be punished at the discretion of the Kings Council.

IX. Every Justice of Peace shall have for his Wages 4 s. 2 d. and the Clerk of the Peace 2 s. for so long time as the Sessions shall last, to be paid by the Sheriffs out of the Fines and Amerciaments arising at the same Sessions, whereunto Lords of Franchises shall be also contributory after the rate of their part of such Fines and Amerciaments.

X. No Steward of any Lord shall be assigned in any Commission of Peace, neither shall any Association be made to the Justices of Peace after the first Commission.

XI. Judges and Serjeants at Law shall not be bound to attend the Sessions, but when they can conveniently intend it.

XII. Stat. *13 R. 2. Stat. 1. 7.* Notwithstanding the Statute of *12 R. 2. 10.* which prohibits the Stewards of Lords to be Justices of the Peace, the most sufficient Knights, Esquires and Gentlemen of the Law shall be put in Commission, and sworn to put in Execution, without favour, all Statutes which concern their Office.

XIII. Stat. *14 R. 2. 11.* There shall be eight Justices of Peace assigned in every County.

XIV. Double Estreats of the Fines and Amerciaments arising at the Sessions shall be made, containing the names of all the Justices there present, and the number of days they sit, and one of them delivered to the Sheriff, out of which he is to answer to the Justices their Wages by Indenture, according to which the Sheriff shall be again allowed the Wages in the Exchequer upon his Account. *No Duke, Earl, Baron or Baronet (although he be Justice of Peace and holds Sessions with the other eight) shall have any Wages allowed him. Quære whether it ought not to be Banneret; for so it is in the first Edition of Rastal, which I have.*

XV. Stat. *2 H. 5. Stat. 1. 4.* Justices of Peace in every County named of the *Quorum* shall be Resident within the same Shire, (viz. Lords, Judges, Serjeants at Law, and the Kings Attorney,) and shall keep their Sessions four times in the year; viz. in the first week after Michaelmas, Epiphany, Easter, and the Translation of St. Thomas Martyr, viz. *Becket*, being the 7th of July; and oftner if need require.

XVI. Stat. *2 H. 5. Stat. 2. 1.* Justices of Peace shall be chosen of the most sufficient Persons dwelling in the same County, at the advice of the Chancellor and the Kings Council, without taking others dwelling in forreign Countries to execute that Office, except Lords, Justices of Assize, and the Kings chief Steward of the Duchy-lands in the North and South parts.

XVII. Stat. *18 H. 6. 11.* Justices of Peace of *Middlesex* shall not be compellable to keep their Sessions above twice in the year, notwithstanding the Statute of *12 R. 2. 10.* yet may they keep oftner, if need be, at their discretions.

XVIII. Stat. 18 H. 6. 14. None (except men learned in the Law, or inhabiting Corporations) shall be Justices of Peace, unless their Lands be worth 20 l. per annum.

XIX. If any be put into the Commission not having Lands to that value, and do not within one month after notice thereof acquaint the Lord Chancellor therewith, or do sit or make any Warrant by force of such Commission, he shall forfeit to the King 20 l. to be divided betwixt the King and the Prosecutor.

XX. Stat. 3 H. 7. 1. Justices of Peace shall at the next general Sessions certify Recognizances taken for keeping the Peace, where, if the party being called do not appear, those Recognizances shall be certified into the *Chancery, Kings Bench, or Exchequer*.

XXI. Stat. 4 H. 7. 12. The King Commandeth all Justices of Peace diligently to exercise their Office, to the end that his people by that means living in Peace, and enjoying their own Husbandry may flourish. He also chargeth all, both poor and rich, that shall suffer any grievance from others, (wherein a Justice of Peace may intermeddle) that they forthwith make Complaint thereof to the next Justice of Peace, and having no remedy there, to the Justices of Assize, if it be not long before their coming into that Countrey; but if it be, then to the Chancellor for the time being: and then the King will send for the Justice so neglecting his Duty; and in case he shall find him guilty thereof, will cause him to be put out of the Commission, and otherwise punished according to his demerits. And this Statute shall be proclaimed at every General Sessions, in pain that every Justice there present when it is so proclaimed shall forfeit to the King 20 s.

XXII. Stat. 2 & 3 P. M. 18. A new Commission of the Peace or Goal-delivery for the whole County shall not be a *Superseado* to a former like Commission granted to a City or Town-Corporate in that County.

Keeper of the Great Seal of England.

Stat. The Authority, Pre-eminence and Advantages of the Lord Keeper of the Great Seal, and of the Lord Chancellor, are declared to be the same to all intents, constructions and purposes.

King.

1. Stat. 2. Cap. 1. If any during the Kings Life advisedly publish or affirm the King to be an Heretick or *Papist*, or that he endeavours to introduce *Popery*, or shall advisedly publish or utter any things to stir up the people to dislike of the Kings Person or Government, such persons being thereof convicted shall be disabled to have or exercise any Office or Promotion Ecclesiastical,

Civil or Military, or any Employment in Church or State, other than that of their Peerage.

II. None shall be prosecuted for any of these offences, but by order of the King or his Successors, under the Sign Manuel, or of the Council-Table, to some of the Kings Council learned, nor unless they be prosecuted within six months after the offence committed, and ended within three months after such prosecution.

III. The Offender must be accus'd by two Witnesses, who at his Arraignment must be brought before him, face to face.

IV. A Peer convicted shall be disabled during his life to sit in Parliament, unless the King Pardon him. The Kings pardon shall restore Peers and Commons, as if they never had been convicted.

Knights.

I Stat. De milit. 1 E. 2. Divers causes for which a man may be excused from taking upon him the Order of Knighthood. *See the Statute at large.*

II. Stat. 16. 17. Car. 20. None shall be hereafter compelled by Writ or otherwise to take upon him the Order of Knighthood, and all proceeding concerning the same shall be void.

Labourers, Artificers, Servants, and Apprentices.

* I Stat. **A**rtificers, Workmen and Labourers, that conspire 2, 3 E. 6. 15. together concerning their Work or Wages, every of them so conspiring shall forfeit for the first Offence 10 l. to the King; and if he pay not within six days after conviction by Witnesses, Confession, or otherwise, he shall suffer twenty days Imprisonment, and during that time shall have no sustenance but Bread and Water: for the second Offence he shall forfeit 20 l. and that not paid within six days, as aforesaid, shall suffer the Pillory: and for the third Offence shall forfeit 40 l. and that not paid within the said time, shall again suffer the Pillory, lose one of his Ears, and be ever after taken as a man infamous and not to be credited.

II. Justices of Assize, Justices of Peace, Mayors, Bailiffs, and Stewards in Sessions, Leets and Courts, have power to hear and determine these Offences. But *Quære whether this branch of this Statute be not repealed by the general words of 5 El. 4. following.*

* III. Stat. 5 El. 4. So much of all Statutes made, and every branch thereof, as touch or concern the hiring, keeping, departing, working Wages or Order of Servants, Workmen, Artificers, Apprentices and Labourers, or any of them, and the Penalties and Forfeitures concerning the same, are repealed: Howbeit the said Statutes and every Branch and Matter therein contained, not repealed by this Act, shall remain in force.

IV. None shall hire or be hired for less than one whole Year in the Arts of Clothier, Woollen Weaver, Tucker, Fuller, Cloath-worker, Sheer-man, Dier, Hosier, Tailor, Shoe-maker, Tanner, Pewterer, Baker, Brewer, Glover, Curler, Smith, Farrier, Currier, Saddler, Spurrier, Turner, Capper, Hat or Felt-maker, Fletcher, Arrow-head-maker, Butcher, Cook, Miller.

V. Every person unmarried, or under the Age of thirty Years though married, having been brought up in any of the Arts aforesaid by the space of three years, and not worth in Lands 40 s. *per annum*, or in Goods 10 l. and so allowed under the Hands and Seals of two Justices of Peace, the Head Officer or two discreet Burgesses of the place where the Party so brought up hath lived by the space of one whole Year, not already retained in Husbandry, the Arts aforesaid, or any other Art or Mystery, or in any Service, upon request of any person using the same Art, shall not refuse to serve for the Wages limited by the Statute; and being so retained shall not depart from his or their Service without one Quarters warning before two lawful Witnesses, or some lawful Cause to be proved before one Justice of Peace, or Head-Officer, in pain of imprisonment without bail; but upon submission to perform the Service they shall be enlarged without Fees: which commitment and enlargement two Justices of Peace, the Head Officer, or two Burgesses, as aforesaid, unto whom Complaint shall be made, have power to command, as in their discretions and upon due proof shall be thought fit.

VI. Every person between the Age of 12 and 60, not already retained in any Service, nor employed about Husbandry, Mines, Glass, Coal, Fishing, Sailing, provision of Grain or Meal for London, nor Gentleman born, nor Scholar in any University or School, nor worth 40 s. *per annum* in Lands, or 10 l. in Goods, nor having a Father, Mother, or other Ancestor (whose Heir he is) worth 10 l. *per annum* in Lands, or 40 l. in Goods, shall be compelled to serve in Husbandry, and shall not depart that Service, otherwise than as is before limited, upon pain above expressed.

VII. None shall put away his Servant before the end of his Term without a Quarters warning, or some lawful Cause to be proved by two sufficient Witnesses before the Justices of Oyer and Terminer, Justices of Assize, Justices of Peace in Sessions, a Head-Officer, or two discreet Aldermen or Burgesses, in pain of 40 s.

VIII. No Servant having served in one City or Town shall get to serve in another without a Testimonial, *viz.* in a Town Corporate under the Seals of the Town and two Householders there, and in the Countrey under the Seals of the Constable or Constables and two Householders there: which Testimonial shall be made and delivered to the Party, and also Registered by the Minister of the place where the Servant dwelt, for which the Master is to have Two pence.

IX. The Form of the Testimonial is this: *Memorandum* that A. B. servant to C. D. of I. in the County of E. Husbandman or Tailor, &c.

in the said County, is licensed to depart from his said Master, at his liberty to serve elsewhere, according to the Statutes in that behalf made and provided. In witness, &c.

X. The Servant which sheweth not such a Testimonial to his chief Officer in a Corporation, or to the Minister or some Officer in any other place where he is to dwell, shall suffer imprisonment till he procure one: and if he procure not one within twenty days after his imprisonment, or shew a false one, he shall be punished by whipping as a Vagabond: and the Master that retaineth such a Servant without such a Testimonial shall forfeit 5 *l*.

XI. Those that work by the Day or Week shall continue at work, betwixt the middle of *March* and the middle of *September*, five in the morning till betwixt seven and eight at night, except two hours allowed for Breakfast, Dinner, and Drinking, and half an hour for Sleeping, from the midst of *May* to the middle of *August*, and all the rest of the year from twilight to twilight, except an hour and an half allowed for Breakfast and Dinner: in pain to have one peny defalked out of their Wages for every hours absence.

XII None that takes Work by great shall leave the same before it be quite finished, except for not payment of his Wages, or Queens service, Licence of the Work-master, or other lawful Cause, in pain to suffer one months imprisonment without Bail, and to forfeit 5 l. to the party grieved, besides his costs and damages to be recovered at the Common Law for the loss sustained.

XIII. None retained in Service to work shall depart without licence, in pain of one months imprisonment.

XIV. Such Wages of Labourers, Artificers, and others, as have been formerly rated, or concern Husbandry, shall be yearly assessed for the County by the Sheriff and Justices of Peace in Sessions, and in Corporations by the Head Officer, at their *Easter-Sessions*, or within six weeks after, and before the 12 of *July* following shall be certified under their Hands and Seals in the Chancery: whereupon the Lord Chancellor or Keeper shall send down printed Proclamations thereof into every County and Corporation, before the first of *September*, then next following, which the said Sheriffs, Justices, and Head Officer, shall before *Michaelmas* after, cause to be enrolled and proclaimed. But here, where the old Rates shall be certified to stand, no Proclamation is needful.

XV. A Justice of Peace or Chief Officer which shall be able to tax of Wages (being not letted by Sickness, or some other reasonable Cause to be allowed by the Justices upon *affidavit*) shall forfeit 10 l.

XVI. None shall give greater Wages than those so Rated and paid, in pain of 5 l. and ten days imprisonment without Bail: and if any person shall be convicted before two Justices of Peace or a Head-Officer of taking more Wages, he shall suffer twenty one days imprisonment without bail.

XVII. Every Retainer, Promise, Gift or Payment of Wages

any thing contrary to the true meaning of this Act, and every Writing and Bond to be made for that purpose, shall be void.

XVIII. If any Servant or other shall be convicted before two Justices of Peace or a chief Officer, as aforesaid, by his own confession, or the Testimony of two honest Men, to have assaulted his Master, Mistress, Dame, or Overseer, he shall suffer one years imprisonment, or less, if the Justice or chief Officer shall think fit; and if the party shall be thought to deserve a more severe punishment, then, to receive such open punishment (Life and Member excepted) as the Justices in Sessions, or the chief Officer and four of the discreetest men in the Corporation shall think convenient.

XIX. Artificers shall work in Hay-time and Harvest, in pain of imprisonment in the Stocks two days and one night, which the Constable shall inflict upon them, in pain of 40 s.

XX. It shall be lawful for Labourers (other than such as are retained in Service according to this Statute) to go to other Shires to work in Hay-time and Harvest, so that they bring with them a Testimonial under the Hand of one Justice of Peace, or a chief Officer, testifying that they have not sufficient work in the place where they lived the Winter before; for which Testimonial they shall only pay a penny.

XXI. Every unmarried Woman, fit to serve, being above twelve years old, and under fourty, shall by two Justices of Peace, a chief Officer, or two Burgesses, be compellable to serve for convenient time and wages, in pain of imprisonment.

XXII. Husbandmen being Housholders, and using half a Plough-land at least in Tillage, may take by Indenture Apprentices above the Age of ten years, and under eighteen, to serve in Husbandry until the Age of twenty one years at least, or twenty four years, as the parties can agree.

XXIII. Every Housholder of the Age of twenty three years, dwelling in a Town Corporate, and using there any Art or Mystery, shall and may take an Apprentice for seven years at least; howbeit the Term ought not to expire before the Apprentice accomplish the age of twenty four years.

XXIV. Merchants, Mercers, Drapers, Gold-smiths, Iron-mon-
gers, Embroiderers and Cloathiers, dwelling in Corporate Towns, shall take no Apprentices but their own Children, or such whose Parents have inheritance or Free-hold of 40 s. per annum, to be certified under the Hands and Seals of three Justices of Peace of the County where such Lands lie, to the Head-Officer of the said Corporation, who shall cause the same to be Recorded. Artificers in Market-Towns not Corporate, being Housholders, and of the Age twenty four years, may take other Artificers Children to serve as Apprentices.

XXV. Merchants, Mercers, Drapers, Gold-smiths, Iron-mon-
gers, Embroiderers and Cloathiers, dwelling in Market-Towns not Corporate, shall take no Apprentices but their own Children,

or such whose Parents have Inheritance of Free-hold worth *per annum*, to be certified under the Hands and Seals of three Justices of Peace, as aforesaid.

XXVI. Smiths, Wheel-wrights, Plough-wrights, Mill-wrights, Carpenters, Rough-masons, Plaisterers, Sawyers, Lime-burners, Brick-makers, Brick-layers, Tilers, Salters, Helyers, Tile-makers, Linen-weavers, Turners, Coopers, Millers, Earthen-potters, Woolen-weavers, (of Housewives Cloth only) Fullers, Wood-burners, Thatchers and Shinglers, may take Apprentices though their Parents have no Land.

XXVII. None which hath not served an Apprentice seven years in any Art or Mystery now used shall use the same, or set any other to work therein which hath not so served out that time, in pain to forfeit 40 s. for every month.

XXVIII. Woollen-cloth Weavers (other than such as inhabit *Cumberland, Westmorland, Lancaster or Wales*, or in Cities, Corporations, or Market-Towns) shall take no Apprentices, nor teach any their Art, save their own Children, or such whose Parents have Inheritance or Free-hold worth 3 *l. per annum*, to be certified under the Hands and Seals of three Justices of Peace of the County where the Lands lie, in pain to forfeit 20 s. for every month: and the Indenture shall within three months be Registered in the Parish where the Master dwells, the Fee of which Registering is 4 *d.*

XXIX. Every Cloth-worker, Fuller, Sheer-man, Weaver, Tailor and Shoe-maker, shall for every three Apprentices keep one Journey-man, and for every Apprentice above three another Journey-man, in pain of 10 *l.*

XXX. This Act shall not prejudice Worsted-makers nor Worsted-weavers in *Norwich and Norfolk*.

XXXI. If any person fit to make an Apprentice refuse to serve upon demand, one Justice of Peace, Mayor, or Head-Officer, unto whom Complaint thereof shall be made, have power to commit him to Ward, until he shall be willing to serve accordingly.

XXXII. If there shall arise any difference betwixt the Master and the Apprentice, one Justice of Peace in the Countrey, or Mayor or Head-Officer in a Corporation or Market-Town, shall have power to reconcile it, if they can; if not, then to bind over the Master to the next Quarter-Sessions: where the Justices of Peace, or any four of them, (1. *Qu.*) or the Head-Officer with the consent of three of his Brethren, shall upon default found in the Master in Writing under their Hands and Seals have power to discharge the Apprentice of his Service; and if default be found in the Apprentice, then to inflict such punishment upon him as in their discretions shall be thought fit.

XXXIII. None shall be bound to enter into an Apprenticeship other than such as be under the Age of twenty one years.

XXXIV. Justices of Peace in their several Divisions, and Head-Officers in Towns Corporate, shall meet twice every year, viz. once between

Michaelmas and Christmas, and another time betwixt the Midsummer and Midwinter, to give order for the due execution of this Statute.

XXXV. Justices of Peace and Head-Officers shall have $3s.$ for every day they sit about the execution of this Statute, to be allowed them out of the Fines which accrue upon the breach thereof, so that their sitting be onely for matters contained in this Statute, and not above three days at one time.

XXXVI. The Forfeitures aforesaid (except those otherwise limited) shall be divided betwixt the Queen and the Prosecutor: and all Justices of Peace, or any two of them, (*1. Qu.*) and every Head-Officer, shall have power to hear and determine the breach of this Statute upon Indictment or otherwise, and to award Process and Execution accordingly; and shall yearly in Michaelmas Term by Estreat certifie into the Exchequer the Fines which accrue upon this Statute, in manner as they ought to do in other cases.

XXXVII. This Act shall not restrain the Cities of London and Norwich from taking of Apprentices as in times past.

XXXVIII. None shall take Apprentices otherwise than is limited by this Act, in pain of $10l.$ and all Indentures otherwise made shall be void.

XXXIX. An Apprentice shall be bound by his Indentures notwithstanding his non-age of 21 years.

XL. The Inhabitants of Godalming in Surry may take and use such Arts and Apprentices as Market-Towns may do by virtue of this Act.

XLI. The Fines accruing by this Act in Towns-Corporate shall be appointed by the Head-Officer to be Collected as other Fines and Amerciaments for the use of the same Towns.

XLII. When an Apprentice departs from his Masters Service in another Countrey or Corporation, it shall be lawful for the Justice of Peace or Head-Officer, there being no Justices of Peace, to direct a *Capias* to the Sheriff or other chief Officer, for his Apprehension; and being taken, the said Justice of Peace or Head-Officer shall commit him to Ward until he give good Security that he will honestly serve out his Time.

XLIII. Notwithstanding this Act, High-Constables have power to keep their Statute-Sessions, so that they there do nothing repugnant thereunto.

XLIV. Stat. 1 Jac. 6. The Statute of 5 Eliz. 4. shall give power to the Justices of Peace to Rate the Wages of any Labourers, Weavers, Spinsters, and Work-men or Work-women whatsoever.

XLV. The Rating of such Wages in Sessions by the more part of the Justices within any particular Riding or Division (where general Sessions have been used severally to be kept) shall be as effectual as those rated at the general Sessions of the whole Countrey.

XLVI. The Sheriffs and Head-Officers within their several Precincts

cincts shall cause the said Rates to be proclaimed in such manner as they had been sent down Printed from the Lord-Keeper, which persons shall be bound to observe, upon the Pains and Penalties mentioned in the said Statute of 3 Eliz. 4.

XLVII. A Clothier or other Convicted before the Justices of Assize or Peace in Sessions, or before two Justices of Peace, (1. 2.) by his own Confession or the Evidence of two Witnesses, who have observed the said Rates, by paying less than the Rates so appointed, shall forfeit 10 s. to the party grieved, to be Levied upon Warrant from the same Justices by Distress and Sale of his Goods.

XLVIII. None shall incur any danger for not making Certificates of the Rates into the Chancery according to 5 Eliz. 4.

XLIX. A Clothier being also a Justice of Peace, shall not be a Rater of Wages for any Artificers that depend upon making of Cloth.

Lancaster.

I. Stat. 33 H. 6. 2. An Indictment found in *Lancashire* against a Foreiner dwelling in another County shall be void, unless each Juror had Lands and Tenements there of the yearly value of 3 l.

II. The like Law is of an Indictment found in another County (and not in *Lancashire*) against an Inhabitant of *Lancashire*, where each Juror hath not Lands and Tenements worth 3 l. per annum.

III. Stat. 37 H. 8. 16. Lands annexed to the Duchy of *Lancaster*, and these exchanged by the King with others for the enlargement and conveniency of the said Duchy. See the Statute at large.

IV. Stat. 2 & 3 P. M. 20. A farther enlargement of the said Duchy. See the Statute.

Leases.

I. Stat. 32 H. 8. 28. Leases made by Tenant in Tail, or by him who is seised in the Right of his Wife or Church, (they being of full age at the time of such Lease made) shall be good and effectual in the Law against the Lessors, their Wives, Heirs and Successors.

II. This Statute shall not extend to any Lease to be made of Lands in the hands of any Farmer by force of any old Lease, unless such old Lease expired within a year after the making of the new Lease; nor to any Grant to be made of any Reversion of Manors, Lands, or tenements, nor to any Lease of such Mannor, Lands, &c. which have not been Lett to Farm, or Occupied by Farmers twenty years before the new Lease made; nor to any Lease to be made without impeachment of Waste, nor to any Lease to be made for above Twenty one years or Three lives, from the day of the making thereof, and that upon every such Lease there be reserved so much yearly Rent as hath been usually paid for the Lands so Lett within twenty years next before such Lease made; and the Reversioners of the Mannors, Lands, &c.

Lease (after the death of such Lessor or his Heirs) may have such Remedy against such Lessee, his Executors and Assigns, as such Lessor might have had against such Lessee.

III. Provided, That all Leases made by the Husband of Mannors, Lands, &c. (being the Inheritance of the Wife) shall be made by Indenture in the name of Husband and Wife, and she to Seal to the same, and the Rent shall be reserved to the Husband and Wife, and the Heirs of the Wife: and here the Husband shall not alien or discharge the Rent, or any part thereof, longer than during the Coverture, unless it be by Fine Levied by Husband and Wife.

IV. This Act shall not extend to give liberty to take more Farms or Leases than might have been taken before this Act, (*vide Stat. 25 H. 8. 13. Sheep*) nor to any Parson or Vicar to make any Lease otherwise than they might have done before.

V. All Leases for years made within three years before the 1st of April in 31 H. 8. by Writing Indented under Seal by any person or persons of full age, sane memory, not unlawfully coerced, nor covers Baron, of any Mannors, Lands, &c. wherein he or they have an Estate of Inheritance to his or their own use at the time of the making thereof, and whereof the Lessee or Lessees, or their Assigns, have now the possession by force of such Lease or Leases, and no writ of re-entry or forfeiture thereof had or made, shall be good in Law against such Lessors, their Heirs and Successors; so as so much yearly Rent be reserved for the same as was paid for the same within twenty years next before the making of such Lease or Leases: or else such Lease or Leases to be of no other force than they were before the making of this Act.

VI. No Fine, Feoffment, or other Act done by the Husband onely of the Inheritance of Free-hold of the Wife, shall make any discontinuance, or prejudice the Wife, or any other who is to enjoy it after her Decease; the Fines Levied by the Husband and Wife onely excepted.

VII. This Act shall not give liberty to the Wife or her Heirs to void any Lease hereafter to be made of the Wifes Inheritance by the Husband and Wife for Twenty one years or under, or Three years, whereupon the accustomed yearly Rent for twenty years before is reserved, according to the tenor of this Act.

VIII. This Act shall not extend to make good any Lease made by any Ecclesiastical Person which is made void by Authority of Parliament, or by any such Person or other now Attainted of Treason.

IX. Stat. 1 Eliz. not Printed. All Estates made by any Archbishops or other Bishop, of any Mannors, Lands, &c. parcel of the possessions of their Bishoprick, or united or appertaining thereunto, to any Person or Persons, Body Politick or Corporate, other than to the Queen, her Heirs and Successors, and other than for the term of Twenty one years or Three lives from the time of such Lease made, and whereupon the accustomed yearly Rent or more shall

shall be reserved and payable yearly during such term of one years or Three lives, shall be void to all intents and purposes.

X. Stat. 13 Eliz. 10. All Leases, Conveyances, or Estates by any Master or Fellows of any Colledge, Dean and Chapter, or any Cathedral or Collegiate Church, Master or Guardian of any Hospital, Parson, Vicar, or any other having any Spiritual or Ecclesiastical Living, or any Houses, Lands, Titles, or other Hereditaments, being parcel of their Colledge, Cathedral, Chapter, Hospital, Parsonage, Vicarage, or other Spiritual Promotion, or belonging therunto, other than for Twenty one years or Three lives, the making thereof, and whereupon the accustomed yearly Rent more shall be reserved and payable yearly during the term, shall be utterly void to all intents and purposes.

XI. This Act shall not make good any Lease or other Grant against the private Statutes of any Colledge or Collegiate Church.

XII. This Act shall not extend to any Lease hereafter to be made upon surrender of a former Lease, or by reason of any Covenant or Condition contained in any former Lease, and still continuing, as the Lease to be made contain not more years than the residue of the years of such former Lease, nor any less Rent than is therein reserved.

XIII. Stat. 13 Eliz. 20. No Lease made of any Benefice or Ecclesiastical Promotion with Cure, or any part thereof, (and not Impropriated) shall endure any longer than while the Lessor shall be ordinarily resident and Serving the Cure of such Benefice, without absence above 80 days in any one year, but that every such Lease, so soon as it or any part thereof shall come into any possession or use above forbidden, or immediately upon such absence shall cease and be void: and the Incumbent so offending shall lose a year's value of his Benefice, to be distributed by the Ordinary amongst the Poor of the Parish.

XIV. Provided, That every Parson allowed to have two Benefices may Demise one of them (upon which he is not most ordinarily resident) to his Curate onely; but such Lease shall endure no longer than during such Curates residence, without absence above 40 days in any one year.

XV. Stat. 14 Eliz. 11. In the Statute of 13 Eliz. 20. these words (so soon as it, or any part thereof, shall come to any possession or use above forbidden, or) Repealed.

XVI. All Bonds, Contracts, Promises and Covenants heretofore made to be made for suffering or permitting any person to enjoy any Benefice or Ecclesiastical Promotion with Cure, or to take the profits thereof, (other than such Bonds and Covenants made for assurance of any Lease heretofore made) shall be adjudged of such validity (and no otherwise than) as Leases thereof made. The like shall be of Leases, Bonds, Promises, or Covenants, made by Curates.

XVII. The Branch of the Statute of 23 Eliz. 10, made concerning certain Leases made by certain persons having Spiritual Livings

not extend to Houses situate in Corporations or Market-Towns or the Suburbs thereof, nor unto the Grounds appertaining to such Houses, so as they be not the Dwelling-houses of such persons, nor have above 10 Acres of Ground belonging to them.

XVIII. Provided, That no Lease shall be made by force of this Act in reversion, or without reserving the accustomed yearly Rent at least, or without charging the Lessee with reparations, or for longer term than 40 years. Neither shall any such Houses be alienated without purchasing presently after other Lands in Fee-simple of good value, and as great yearly value as the Houses so alienated.

XIX. Stat. 18 Eliz. 6. Upon Leases made by Colledges in the two Universities, *Winchester* and *Eaton*, the third part of the Rent shall be reserved in Grain, to be delivered to them yearly at days prefixed, after the rate of 6 s. 8 d. for a Quarter of Wheat, and 4 s. for a Quarter of Malt, or under those Prices: or it shall be in the election of the Lessee to pay them in kind, at the best rates found in those several Markets respectively the next Market-days before the said day prefixed for the payment or delivery thereof: and all Leases otherwise made, and all Bonds and Assurances given to the contrary, shall be void. Which said Grain or Money shall be expended for the relief of the Commons and Diet of the said Colledges respectively without fraud, in pain of deprivation of the said Rulers of such Colledges respectively, and of all others concerning thereunto.

XX. This Act shall not extend to any Lease to be made by the President and Scholars of *St. John's Colledge in Oxford* of the Manor of *Fisfield*, to the Heir male of *Sir Thomas White Knight*, late Alderman of *London*, and Founder of the said Colledge.

XXI. Stat. 18 Eliz. 11. All Leases made by such persons as are mentioned in the Stat. of 13 Eliz. 10. where another Lease is being, not to be expired, surrendred or ended within three years after the making of such new Lease, shall be void: And all Bonds and Covenants for removing of any such Lease contrary to this Act, or to the said Statute of 13 Eliz. 10. shall also be void. Notwithstanding this Act shall not extend to any Lease or Leases heretofore made by any such person or persons.

XXII. After Complaint to the Ordinary, and Sentence given upon any Offence committed by the Incumbent against the Statute of 13 Eliz. 20. whereby he ought to lose the Profits of his Benefice, the Ordinary within two months after such Sentence given, and request made by the Churchwardens or one of them, shall grant the sequestration thereof to such Inhabitant or Inhabitants there, as to him shall seem convenient: and upon default in the Ordinary, it shall be lawful to every Parishioner there to retain his Tithes, and the Churchwardens to take the Profits of the Glebe, and other duties of such Benefice, to be employed to the use of the Poor, until the Sequestration shall be committed by the Ordinary; and then the Churchwardens and Parishioners are to Account

compt to him or them to whom such Sequestration shall be made, and he or they shall employ the said Profits to such Use as the said Statute of 13 *Elix.* 20. are appointed, in pain to forfeit the double value of the Profits witholden, to be recovered in the Ecclesiastical Court by the Poor of the Parish.

XXIII. *Stat.* 43 *Elix.* 9. All Judgments hereafter to be had by the intent to have or enjoy any Lease contrary to the Statute of 13 *Elix.* 20. 14 *Elix.* 11. and 18 *Elix.* 11. or any of them, shall be deemed void, in such sort as Bonds and Covenants are appointed to be void, which are made for that purpose.

Lee-River.

I. *Stat.* 13 *Elix.* 18. For making the River of *Lee* Navigable from *Ware* to *London*. See the Statute.

Leet.

I. *Stat.* 18 *Elix.* 2. The Articles of the Charge in a Leet.

II. *Stat.* 1 *Jac.* 5. No Steward or Deputy-Steward of any Leet or Court-Baron, shall make benefit to the value of 12 *d.* or more by colour of any Grant made of the Profits or Perquisites of any such Courts whereof he is Steward, in pain to be disabled forever after to be Steward of any Court, and besides to forfeit 10 *s.* to be divided betwixt the King and the Prosecutor.

Libel.

I. *Stat.* 2 *H.* 5. 3. A Copy of a Libel grantable in the Ecclesiastical Court, shall be presently delivered upon the Defendants appearance.

Limitation.

I. *Merton*, 25 *H.* 3. 8. Seisin of ones Ancestor in a Writ of *Right* shall be from time of *H.* 2. in a *Mortdancestor*, Writ of *Nuisance*, and *Entry*, from the last return of King *John* out of *Ireland*; and in an Assise of *Novel Disseisin*, from *Henry* the Thirds first Voyage into *Gascoign*.

II. *West.* 1. 3 *E.* 1. 38. Seisin of ones Ancestor in a Writ of *Right*, shall be from the time of *R.* 1. in an Assise of *Novel Disseisin* and *Nuper obiit*, from *H.* 3. his Voyage into *Gascoign*; and in a *Mortdancestor*, *Cofenage*, *Ayel*, and *Nuisance*, from the Coronation of *H.* 3.

III. *Stat.* 32 *H.* 8. 2. Seisin in a Writ of *Right* shall be within sixty years before the *Teste* of the same Writ.

IV. In a *Mortdancestor*, *Cofenage*, *Ayel*, Writ of *Entry* for *Disseisin* or any other possessory Action, upon the possession of his Ancestor or Predecessor, it shall be within fifty years before the *Teste* of the Original of any such Writ.

Writ upon the parties own Seisin or Possession, it shall be within thirty years before the *Tith* of the Original of the same

VI. In an Avowry or Cognisance for Rent, Suit or Services of the Seisin of his Ancestor, Predecessor, or his own, or of any other Estate he pretends to have, it shall be within forty years before the making of such Avowry or Cognisance.

VII. *Fornedons* in reverter or remainder, and *Scire facias* upon Fines shall be sued within fifty years after the Title or Cause of Action accrued, and not after.

VIII. The party Demandant Plaintiff or Avowant that (upon Traverse or Denier by the other party) cannot prove actual Possession or Seisin within the times above limited, shall be forever after barred in all such Writs, Actions, Avowries, Cognisance, Prescriptions, &c.

IX. Provided, That in any of the said Actions, Avowries, Prescriptions, &c. the parties grieved may have an Attaint upon a false Verdict given.

X. Stat. 1 M. 1. Parl. 2. Sess. cap. 5. The Stat. of 32 H. 8. 2. shall not extend to a Writ of Right of Advowson, *Quare Impedit*, *Writ of Darnel Presentment*, *Jure Patronatus*, Writ of Right of Ward, *Writ of Ravishment of Ward*, nor to the Seisor of the Wards Body or Estate; but the time of the Seisin to be alledged in such cases shall be as it was at the Common Law before the making of the said Statute.

XI. Stat. 21 Jac. 2. The King, his Heirs or Successors, shall recover no concealed Mannors, Lands, Tenements, Rents, Tithes or Hereditaments, (other than Liberties and Franchises, and the fines and Profits which concern the same) nor make any Right, Claim, or Demand of, in, or to the same, by reason of any Right or Title accrued sixty years and more, and now *in esse*; unless the King or some of his Predecessors, or some other under whom he Claims, have been answered (by force of such Right or Title) the Rents, fines and Profits thereof within sixty years next before the beginning of this Parliament; or that the same have been duly in Charge to the King, or Queen Elizabeth, or have stood in *super* of Record within the said time.

XII. This Act shall not extend to Impeach the Kings Right or Title to any Reversion or Remainder, nor to alter the Tenures or Services of Lands. And here also, the Right of all others (save of the King) is saved.

XIII. Neither shall this Act extend to annul the Custom of 2 d. for every Chaldron of Sea-Coals at Newcastle upon Tyne.

XIV. Provided, That no putting in Charge standing *super*, or answering the Rents or Profits of any Lands or Hereditaments, by force or colour of any Letters Patents, Grants of Concealments, or defences, or of Lands, Tenements or Hereditaments, out of Charge, or by force or colour of any Inquisitions, Presentments upon any Commission,

Commission, or other authority to find out Concealed
five Titles, or Lands, Tenements or Hereditaments, one
shall be deemed or taken to be a putting in Charge standing
or warning the Rents or Profits to the King or his Predecessors,
less thereupon such Lands, Tenements or Hereditaments have
upon any Information or Suit, (on the behalf of the King or his
predecessors) upon any lawful Verdict given, or Demurrer in Law,
judged, and upon a Hearing ordered or decreed to the King or
Predecessors; within the said time of sixty years.

XV. This Act shall not extend to Lands for which Composition
is or shall be made before the end of this Parliament.

XVI. Stat. 21 Jac. 16. All Writs of *Formedon in Defendo*, *Re-
mainder*, or *Reverter*, for any Title or Cause now *in esse*, shall be
within 20 years next after this present Session of Parliament; and
for any Title or Cause hereafter accruing, within 20 years after
Title or Cause so accruing: otherwise such Title shall be forever
after Barred, and the Party Claiming utterly excluded from Entry.

XVII. None now having any Right or Title of Entry into any
Mannors, Lands, Tenements or Hereditaments, now held from him
or them, shall thereinto enter, but within 20 years next after the end
of this Session of Parliament, or within 20 years next after any
other Title accrued: And none shall at any time hereafter make any
Entry into Lands, Tenements or Hereditaments, but within 20
years next after his or their Right or Title, which shall hereafter
descend or accrue to the same.

XVIII. The Titles of any Infant, Feme-covert, *Non compos mentis*,
one Imprisoned, or beyond Sea, are saved, so as they commence
their Suit within ten years after such Imperfections removed.

XIX. All Actions upon the Case (other than for Slander) Actions
for Accompt, (other than such as concern Merchandize) Actions
of Trespass, Debt, Detinue, Trover and Replevin, shall be commenced
within three years after this present Session of Parliament, or
within six years after the cause of such Actions or Suits, and not
after.

XX. All Actions of Trespass, of Assault, Battery, Wounding
and Imprisonment, shall be commenced within one year after this
Session, or within four years after the cause of Suit, and not after.

XXI. All Actions upon the Case for Words shall be commenced
within one year after this present Session, or within two years
after the Words spoken, and not after.

XXII. Provided, That if in any such Actions Judgment be given
for the Plaintiff, and the same be Reversed by Error, or a Verdict
pass for him, and upon Motion in Arrest of Judgment it is given
against him, or if the Defendant be Outlawed in the Suit, and
Reverse the Outlawry: in these Cases the Plaintiff, his Heirs,
Executors or Administrators, may commence a new Action within
one year after such Judgment Reversed, or given against the Plaintiff
Outlawry so Reversed, and not after.

The right of Action in the cases abovefaid is saved to an
Seme-covert, *Non compos mentis*, a person Imprisoned, or
out of Sea, so as they commence their Suit within the times above
saide respectively after their Imperfections removed.

Linn.

Stat. 26 H. 8. 9. An Act for the repairing of the Town of
See the Statute at large.

Linnen-Cloth.

I. Stat. 28 H. 8. 4. No person whatsoever shall put to sale
any piece of Douglas or Lockeram, unless the just length be expres-
sed thereupon, in pain to forfeit the same, or the value thereof, to
be divided betwixt the King and the Seisor.

II. Stat. 1 Eliz. 12. None shall use any means whereby Lin-
nen Cloth shall be deceitful, or made worse for use, in pain to for-
feit the same, to suffer a months Imprisonment, and to be Fined by
the Justices before whom he shall be condemned.

III. Justices of Oyer and Terminer, and of Assise, and Justices of
Peace, or any three of them, (1 Qu.) have power to hear and de-
termine these Offences.

IV. The Informer that shall at the next Sessions of the Peace
after the Seisure to be kept in the County where such Seisure is
made, or before two Justices, (1 Qu.) make due Information of the
Offence and Seisure, or procure the Offender to be there Indicted,
and be bound by Recognizance before the said Justices to pursue
the same matter with effect, and give Evidence, as of right apper-
taineth, and pay the one moiety of what he recovers to the Sheriff
or other Accomptant for the Queens use, shall have the other moiety
of his pains.

V. The Justices before whom these Offences are tried shall by
Writ certifie the Forfeiture into the Exchequer.

VI. Stat. 15 Car. 2. cap. 15. Any person, Native or Foreiner,
settled up in any Place whatsoever of *England or Wales*, Priviledg-
ed or Un-priviledged, Corporate or not Corporate, the Trade of
Weaving, Hickling or Dressing Hemp or Flax, and of Making and
Drawing Thread, and Spinning, Weaving, Making, Whitening or
Dyeing Cloth made of Hemp or Flax onely, and the Trade of
making Trawles or Nets for Fishery, or storing Cordage, or making
any Hangings.

VII. Foreiners that shall use any of the said Trades three years
in *England, Wales*, or Town of *Berwick*, shall from thenceforth, ta-
king the Oaths of Supremacy and Allegiance before two Justices of
Peace near to their Dwellings, enjoy all Priviledges as natural born
Subjects.

VIII. Foreiners that exercise the said Trades, shall not be liable
to

to other Impositions than natural born Subjects, as Merchants to and from Foreign Parts, in which case the Aliens Custom for five years next ensuing, and no longer.

Livery and Duffer le main.

I. Stat. *De Escheatoribus* 29 E. 1. Where by Inquells before the Escheator, upon the Kings Writ returned, it is found nothing is holden of the King, the Escheator shall be immediately commanded by the Kings Writ out of the Chancery, to put in his hands the Lands so taken into the Kings hands; and if the Escheator have received any Profit thereof, he shall restore it. And be it, if the Kings Title may afterwards be made appear by continuances in the Chancery, Exchequer, or elsewhere, the Lands shall be Re-seised, and the mean Profits answered to the King: and in such case *Scire facias* shall issue out against the Party to show why they should not be Re-seised. *Vide Artic. super Chart. 1217. cap. 19.* to the like effect as to the *Ouster le main*, and rendering the mean Profits, when there is no cause of Seizure.

II. Stat. 28 E. 4. Where the Kings Tenant, after he hath had Livery, hath been charged with Rents and other payments due after such Livery for part of the time *pro rata*; hereafter the Escheator shall be charged with the casual and continual profits which happen before the Livery (*pro rata*) according to the law, and the Tenant shall receive certain payments of Rent, &c. which happen after the Livery, without any abatement thereof (*pro rata*) for the time.

Liberties of Companies and Retainers

* I. Stat. 1. R. 2. 7. None shall give Liveries for Maintenance of Quarrels or other Conspiracies, in pain of Imprisonment and various Forfeiture to the King: and the Justices of Assize shall diligently enquire of such as gather together in-Fraternities for such purposes, and shall punish them according to their Demerit.

London.

I. Stat. *de Gaveler*, 10 E. 2. The Lords of Rents in London shall recover them by a Writ of *Gaveler* in their Hustings; and as to the residue thereof, the Lands in Demesne.

II. Stat. 28 E. 3. 10. The Mayors, Sheriffs and Aldermen of London shall cause Errors, Defaults and Misprisions therein redressed, in pain to forfeit for the first Default 1000 Marks, for the second 2000 Marks, and for the third to have the Franchise and Liberty of the City seised: and their Defaults herein shall be inquired of by Inquests of *Kent, Essex, Sussex, Hertford, Buckingham* &c. as well at the Kings Suit, as of others that will complain.

III. The Mayor, Sheriffs and Aldermen, being indicted, shall be called by due Process to come before the Kings Justices assigned thereto out of the City, and there shall be made to answer as well to the King as to the party grieved, and their Trial shall be by forein Inquests, as aforesaid; whereupon if they be Attainted, the said Pain shall be Levied upon them, and the Plaintiffs also shall recover treble Damages.

IV. In the prosecution of such Suits, the Constable of the Tower or his Lieutenant shall execute all Processes in the City, which Process shall be by Attachment, Distress and *Exigent*: and in the Kings Court the *Exigent* shall be Awarded after the first *Capias* returned; but after the return of the third *Capias*, at the Suit of the party.

V. If they have Lands out of the City, Process shall issue against them in the County where such Lands be, by Attachment and Distress.

VI. Every of them that appear shall answer particularly for himself, as well at the peril of him that is absent, as of himself.

VII. This Ordinance shall extend to all other Cities and Burroughs throughout the Realm. Howbeit the Inquests in such cases shall be taken by forein People of the Counties wherein such Cities and Burroughs are situate: and the pains to be set upon them shall be adjudged by the Justices thereto assigned.

VIII. Stat. 1 H. 4. 15. The Penalties of 1000 and 2000 Marks (imposed by the Statutes of 28 H. 3.) shall not be limited to a certainty, but the Penalties shall from henceforth be left to the discretion of the Justices thereunto assigned, in like manner as it is for other Cities and Burroughs.

IX. Stat. 35 H. 8. 10. An Act for repairing, making and mending the Conduits in London.

X. An Act for erecting a Judicature for determination of Differences touching Houses burnt or demolished by reason of the late Fire in London. See the Act.

XI. Stat. 19 Car. 2. cap. 3. For the speedy Re-building of the City of London, and the Uniformity of the new Building, and for the prevention of outrageous Fires; the Rules and Directions following shall be observed.

III. If any person be convicted by the Oaths of two Witnesses before the Lord Mayor or two Justices of Peace for the City, of building contrary thereto, the House so built shall be deemed a Nuisance, and the Builder shall enter into a Recognizance to demolish the same, or amending it according to the said Directions, and in default of entering into such Recognizance, shall be committed till he abate or amend the same: or else such House shall be demolished by Order of the Court of Aldermen.

III. The Lord Mayor, Aldermen and Common Council, shall appoint one or more Surveyer to see the said Rules observed: and shall give them an Oath for the true Execution of their Office.

IV. There shall be onely four sorts of Buildings: the first sort

of Houses fronting By-Lanes : the second fronting Streets of note : the third fronting high and principal Streets : the fourth of Houses for Citizens and other Persons of extraordinary Rank, not fronting either of the three former ways.

XV. The Lord Mayor, Aldermen and Common Council shall before the first of *April* next, declare which shall be accounted of note, which Streets or Lanes of note, and which high and principal Streets.

XVI. The out-sides of all Buildings in and about the City shall be of Brick or Stone ; or of Brick and Stone together, except Door-Cases and Window-Frames, the Brest, Summers and other parts of the first Story to the Front, between the Pierces : which is left to the Builders discretion : but shall be discharged of the cost then of the Fabrick by Arch-work of Brick or Stone.

XVII. There shall be Party-Walls and Party-Pierces set out only on each Builders Ground, to be built by the first Builder, leaving convenient Tothing left in the Front-Wall : None shall build the said Party-Walls or their own contiguous Ground, till they have paid the first Builders the moiety of the Charges of such Party-Walls, with Interest at 6 per cent. from the beginning of the Building. Differences concerning the value of such Charges shall be referred to the Alderman of the Ward, and his Deputy : when any of them is a party, or where they cannot compose such Differences the Lord Mayor and Court of Aldermen shall.

XVIII. The Houses of the first sort of Building shall be two Stories high, besides Cellars and Garrets ; the Cellars six Foot and a half high, if the Springs of Water hinder not, each Story nine Foot high ; the Walls in Front and Reer as high as the first Story, of Bricks length in thickness, thence upwards to the Garrets one Brick and a half, the thickness of the Garret-Walls on the back part not less than the length of one Brick (of the Party-Walls one Brick and a half as high as the Garrets) in the Garrets one Brick at least.

XIX. The Houses of the second sort, fronting Streets and Lanes of note and the *Thames*, shall be three Stories high : the Cellars six Foot and a half high, if the Springs of Water hinder not : the first Story ten Foot high, the second the like, the third nine Foot high ; the Walls in Front and Reer as high as the first Story, of the thickness of the length of two Bricks and a half : and upwards to the Garret-Floor, of one Brick and a half the thickness of the Garret-Walls on the back-part not less than the length of one Brick : the thickness of the Party-Walls two Bricks length as high as the first Story and up to the Garrets of one Brick and a half.

XX. The Houses of the third sort shall be four Stories high : the first Story ten Foot high, the second ten Foot and a half, the third nine Foot, the fourth eight Foot and a half : the Walls in Front and Reer as high as the first Story, of the thickness of the length of two Bricks and a half : and upwards to the Garret-floor, of one Brick and a half : the thickness of the Garret-Walls not less than the length of one Brick and a half.

of one Brick : of the Parry-Walls two Bricks length as high as the first Story, and upwards to the Gallies one Brick and a half.

XXI. The Houses of the fourth sort shall bear the same Scantlings as in the Table are set down for the same, the number and height of the Stories shall be left to the Builders discretion, so as be exceed not four Stories.

XXII. In the Front of Houses in high Streets there shall be Balconies four Foot broad, with Rails and Bars of Iron, of equal distance from the Ground, to contain in length the third parts of the Front, the remaining vacaney to be supplied with a Pent-house of the breadth of the Balcony, covered with Lead, Slate or Tiles, and paved underneath : the Water falling from the Houses, Balconies and Pent-houses, shall be conveyed into the Channels by Parrying on the Sides or Fronts of the Houses : and Pavement of flat Stone at the Builders Charge shall be made under the Balconies and Pent-houses.

XXIII. The first Floor over the Cellar in Houses of the second and third sort shall not be more than eighteen Inches above the Ground, nor less than six, with a circular Step without the Building. No Trap-Doors nor open Grates without the Foundations of the Houses shall be suffered : nor Lights but what are upright. No Bulks, Chimneys, Windows, Posts, Seats, &c. shall extend beyond the ancient Foundations, onely in high Streets, Stall-boards, when the Windows are open, may extend eleven Inches into the Streets.

XXIV. If any Houses burnt or pulled down at the time of the last Fire are not Re-built within three years next ensuing, Proclamation shall be made by Act of Common-Council betwixt Twelve of the Clock and Two in the Afternoon, upon such Ground, and upon such Exchange, to cause the same to be Re-built within nine months : and whereof, the Mayor and Court of Aldermen shall issue Writs to the Sheriffs to impanel a Jury before them to estimate the value of such Ground, and may sell the Inheritance, the Moneys to be paid into the Chamber of London, and thence issued to them who are interested in such Ground according to their respective Shares therein, which Sale Enrolled according to the Custom of the City shall conclude all that have Right.

XXV. In case of Combination or unreasonable Exaction by Brick-makers, Tile-makers, or Lime-burners, the Justices of the King's Bench, or two of them, upon Complaint of the Mayor and Court of Aldermen, calling such of the said Workmen, working within five Miles of the River of Thames, as they think fit, may upon Confeession of the said Workmen, if present, or otherwise in their absence, Assess the Rates of Bricks, Lime and Tiles, and of all Carriages thereof by Land and Water.

XXVI. And in case of Combination or Exaction of unreasonable Rates by the afore-mentioned or other Artificers, Workmen or Carriers, the said Justices upon like Complaint may appoint their Rates : which Rate, together with the Prices of the said Materials

and Carriages being proclaimed, shall bind all persons, Artificers and Workmen refusing to sell or work for the Prices and Wages appointed, or leaving their Work unfinished, unless for some just Cause of their Hire, or other Cause to be allowed by a Justice of Peace, or agreeing for greater Wages or Prices, and convicted thereof by Oath of one Witness before a Justice of Peace, shall be committed to the common Gaol for a month, unless they shall pay a Fine as the said Justice shall set, not exceeding 10*l.* out of which the Justice shall award Satisfaction to the parties injured, and pay the rest to the Chamberlain of *London* for Re-edifying the publick Buildings of the City.

XXVII. Artificers and Workmen not free of the City, and the said Buildings are fully finished, enjoy such Liberty of working as Free-men of *London* of the same Trades : and such as shall have wrought seven years in the Re-building of *London*, shall enjoy the same Liberty during their Lives.

XXVIII. Differences concerning Lights and Water-works shall be determined by the Alderman of the Ward and his Deputy : and if they be parties, or cannot determine them, shall certify the same to the Mayor and Court of Aldermen, who shall determine the same without Appeal.

XXIX. Common-Sewers, Drains, Vaults, and the order and manner of paving and pitching the Streets and Lanes, shall be determined and set out by such as the Mayor, Aldermen and Common-Council shall appoint under their common Seal : which Persons, or several of them with the Surveyors or one of them, may order and direct the making of new Vaults, Drains and Sewers; or cut into, alter or cleanse the already made. To effect which, they may impose Taxes on the Houses, in proportion to the benefit they receive thereby, and levy the same by Distress and Sale of Goods. All other Commissioners shall be suspended to intermeddle in the Premises, till the said Buildings shall be fully finished.

XXX. The Lord Mayor, Aldermen and Common-Council shall prohibit such Trades in high Streets as they judge noisom or polluting in respect of Fire, and may remove into other Places, or confine into a lesser compass Conduits in high Streets now standing, or to be erected; and may enlarge in such manner as they shall think fit, with the Kings approbation the Places hereafter mentioned, *viz.* *Fleetstreet*, &c. See the Statute at large : and may by virtue of this Act enlarge other strait Passages within this City, the breadth of less than fourteen Foot in breadth, giving notice to the Parties interested before the first of *May* next ensuing, and may make a new Street from *Guildhall* to *Chappside*, as wide as they think fit.

XXXI. And if the Parties interested in such Ground will not cannot Treat and Agree for the same, the Lord Mayor and Common-Aldermen shall issue Warrants to the Sheriffs of *London* to return a Jury to Assess such Recompence as they think fit : and the Jurors shall dict, and the Judgment of the Lord Mayor and Court of Aldermen

and the payment of the Money adjudged shall be

XXXII. In case of refusal or incapacity of Persons interested in such Houses to receive advantage by such Regulation and Enlargement, to Agree with the Lord Mayor, Aldermen and Commons for the same, a Jury Impannelled as aforesaid shall Assess upon them such Sums as they think fit, to be paid to the Chamberlain of the City, who may recover the same by Action at Law, and shall be accountable according to Directions from the Lord Mayor and Court of Aldermen: the Money so raised, to be employed towards Satisfaction for such Houses and Ground as shall be converted into Streets, &c.

XXXIII. Differences concerning Grounds to be taken and disposed of by virtue of this Act, shall be determined by the Justices of the Kings-Bench, and Common-Pleas and Barons of the Coif of the Exchequer, or three of them, in a summary way of proceeding without the Formalities used in any of the said Courts.

XXXIV. The second day of September, unless it happen on a Sunday, and then the day after, shall be for ever observed as a day of Public Fasting and Humiliation within the City and Liberties thereof.

XXXV. A Column of Brass or Stone shall be erected near to the place where the Fire began, with such Inscription as the Mayor and Court of Aldermen shall direct.

XXXVI. The Sites and Materials of Churches not to be Re-built, hereby vested in the Lord Mayor and Court of Aldermen, that such of the Ground as shall not be laid into Streets may be sold with the consent of the Archbishop of Canterbury and Bishop of London, the Money to be employed with like consent toward the Re-building of such Parish Churches as are to be Re-built.

XXXVII. St. Pauls, and St. Faiths, and St. Gregories Churches excepted.

XXXVIII. Thames-Street and the Ground betwixt it and the River shall be made three Foot higher.

XXXIX. No Building shall be erected, except Cranes and Sheds for present use within fourty Foot of any Key, Wall or Wharf bounding the River from Tower-Wharf to London-Bridge, nor from London-Bridge to the Temple-Stairs: nor any Building (Cranes excepted) within seventy Foot of the middle of Bridewell-Dock, Fleet-Ditch, and Turnmill-Brook, from the Thames to Clarksen-will, before the 24th March 1668.

XL. The Water-house called Mr. Thomas Morris his Water-house, formerly adjoining to London-Bridge, shall be Re-built where it now stands, notwithstanding this Act.

XLI. A Scheme of Proportions and Scantlings for Stories, Walls, and Timbers.

	Division of Story.	Height of Story.	Foot		Bricks	Bricks
First sort of Houses.	Cellars	6	$\frac{1}{2}$	1st Floor	2	1
	1 Story	9		2d	1	1
	2 Story	9		3d	1	1
	Garrets				1	1
Second sort of Houses.	Cellars	6	$\frac{1}{2}$	1st Floor	2	$\frac{1}{4}$
	1 Story	10	Thickness of Walls in	2d	2	Thickness of Party-Walls.
	2 Story	10	Front and	3d	2	1
	3 Story	9	Reer.	4th	1	1
	Garrets				1	$\frac{1}{2}$
Third sort of Houses.	1 Story	10		1st	2	1
	2 Story	10	$\frac{1}{2}$	2d	1	1
	3 Story	9		3d	1	1
	4 Story	8	$\frac{1}{2}$	4th	1	1
	Garrets				1	1

XLII. Scantlings of Timber for the first sort of Houses.

	Foot.	Inches.	Inches.
For the Summers under	15	12	and 8
Floors { Wall-Plates		7	and 5
	Foot.	at foot	8
For the Principal Rafters under	15	at top	5
Roof { Single Rafters		4	and 3

	Length.	Thickness.	Depth.
Joynts	10	3	and 7
Garret-Floors		3	and 6

XLIII. Scantlings of Timber for the other two sorts of Houses.

	Foot.	Foot.	Breadth. Inches.	Depth. Inches.	Thickness. Inches.	Depth. Inches.
Summers or gir- ders in length from	10	to	15	11	and	8
	15	—	18	13	—	9
	18	—	21	14	—	10
	21	—	24	16	—	12
	24	—	26	17	—	14
			Inches.		Inches.	

Joyts
which
bear
ten
foot

3	—	6
3	—	7
3	—	7
3	—	8
3	—	8

Principal discharges upon Peers } 13 — and — 12

In the first Story in the Fronts } 15 — and — 13

Thickness.
Inches.

Binding Joyts with their Trimming } 5 — depth equal to
Joyts } their own Floors.

Inches.

Inches.

Wall-plates, or raising Pieces and Beams } 6 — and — 6 }
8 — — — 6 }
7 — — — 5 }

Inches.

Inches.

Lintels of Oak in the } 1 ft. and 2 d. Story — 8 — and — 6 }
3 d. Story — 5 — — — 4 }

Length.

Thickness.

Foot.

Foot.

Inches.

Inches.

Principal Rafters } 15 — to — 18 { at foot 9 } — 7
from } 18 — — — 21 { at top 7 } — 7
21 — — — 24 { at foot 10 } — 8
24 — — — 26 { at top 8 } — 8
21 — — — 24 { at foot 12 } — 8½
24 — — — 26 { at top 9 } — 9
24 — — — 26 { at foot 13 } — 9
24 — — — 26 { at top 9 } — 9

Length.

Foot.

Foot.

Inches.

Inches.

Purlins from } 15 — to — 18 — — — 9 — 8
18 — — — 21 — — — 12 — 9

Foot.

Inches.

Single Rafters } not exceeding in length — 9 — 5 — 4
not exceeding in length — 6 — 4 — 3½

Scantlings

XLIV. Scantlings for Sawed Timber and Laths not less than,

	Breadth.		Thickness.
	Foot.	Inches.	Inches.
Single Quarters in length	8	3½	1½
Double Quarters in length	8	4	3½
Sawed Joys in length	8	6	4
Laths in length	{ 5 4	1½	1 quarter & ½ an Inch

		Inches.	
		Foot.	Inches.
Stone Where Stone is used to keep to these Scant- lings	First sort of Houses	Corner Peers	18 square
		Middle or single Peers	14 and 13
		Double Peers between House and House	14 and 11
		Door-Jambs and Heads	12 and 11
	2d & 3d sort of Houses	Corner Peers	2—6 square
		Middle or single Peers	18 square
		Double Peers between House and House	24 and 18
		Door-Jambs and Heads	14 and 10

	Foot.	Thickness.
Scantlings { 3 wide } Side-Walls		1 Brick and ½
for Sewers { 5 high } Arch		1 Brick on end.
Bottom paved plain, and then one Brick an edge circular.		

XLV. General Rules.

I. In every Foundation within the Ground, add one Brick in thickness to the thickness of the Wall, (as in the Scheme) set above the Foundation, to be set off in three Courses equally on both sides.

II. That no Timber be laid within 12 Inches of the fore-side of the Chimney-Jambs: and that all Joys on the back of any Chimney be laid with a Trimmer of six Inches distance from the back.

III. That no Timber be laid within the Tunnel of any Chimney on Penalty to the Workman for every Default, 10 s. and to a crew Week it continues unreformed.

IV. That no Joys or Rastars be laid at greater distance from one another than 12 Inches, and no Quarters at greater distance than 14.

V. That no Joysls bear at longer Length than ten Foot, and no single Rafters at more in Length than nine Foot.

VI. That all Roofs, Window-frames and Cellar-floors be made of Oak.

VII. The Tile-pins of Oak.

VIII. No Summers or Girders to lie over the Head of Doors and Windows.

IX. No Summer or Girder to lie less than ten Inches into the Wall; no Joysls than eight Inches, and to be laid in Lome.

XLVI. Stat. 22 Car. 2. Cap. 11. The Mayor Aldermen and Commons of the City in Common Council, may imploy such places as with his Majesties approbation are, or shall be set out before the 10th. of March. 1669. for Market-places, for enlargement and convenience of the Royal Exchange, Guildhall, the Sessions-House in the Old-hall, and the common Gaols.

XLVII. The Mayor, Aldermen and Commons shall agree with the Owners of Ground imployed for the convenience of those places and enlarging the Streets in this Act mentioned, and in case of Refusal, Disability or Incapacity, may cause a Jury to be impannelled, whose Verdict and Judgment of the Mayor, &c. with payment of the Money into the Chamberlains Office, there to remain six Months, and after that, if no Controversie arise by reason of different Claims made thereunto, to be paid to the Owners upon Demand, shall be Conclusive. And if any Controversie arise concerning the same, as not equally and indifferently apportion'd according to the Value of the parties Interests, the Justices of the Kings Bench, and Common-Plas, and Barons of the Coif of the Exchequer, or any three of them may hear and determine it within three Months after the Verdict.

XLVIII. Copartners, Joyntenants and Tenants in common, or others having several Rooms in one House, if some will build and others not, they that will may build and enjoy solely till they are reimbursed what the others ought to have contributed, with Interest at the rate of 6. per cent. from the covering of the House: and in case of refusal by the space of two years, paying or tendering what the Interest of the others is worth, may hold such House against the parties refusing. Differences about Charge of Building or Value of the Estate, shall be determined by the Surveyers of the City or two of them, or if the parties refuse to submit to their determination, by the Mayor and Court of Aldermen without Appeal.

XLIX. Differences arising between several Owners of any House or Houses which may obstruct the making of the Party-walls entire and upright, shall be determined in like manner.

L. The Mayor, Aldermen and Commons may enlarge the way of *Ballin-bridge*, so as it may run in a Bevil line from a House past the rock to the Swan-Inn.

LI. Corner-Peers of Stone or Brick to be erected that to the dimensions of the Peers of Stone mentioned in the former Act. Builders of Corner-Houses may use Oak-Timber instead of the Corner-Peers of Brick or Stone, of such dimensions as the Surveyors of the City shall direct.

LII. Water from the tops of Houses fronting Streets, Lanes or Passages, shall be convey'd into the Channels by Pipes and Parapipes.

LIII. The Streets or Passages from *Cheap-side* through *Super-Lane* to *Thames-Street*, and thence to the River; and from the three Cranes to the River, shall remain as they now are: and the Marks for Raising or Sinking any Streets, as they are or shall be before the 29. of *Septemb.* 1671. shall be observed.

LIV. The Surveyors with as little variation as may be shall alter the said Marks, so as Buildings erected before the 14th of May 1668. may receive as little damage as may be: Owners upon their refusal or being aggrieved by their determination, may petition the Mayor and Court of Aldermen, whose determination shall be final.

LV. No Builders shall lay Foundations, till the Surveyors have viewed the same, and seen the Party-walls and Peers equally set out before which Survey taken, the Builders shall go to the Chamberlain and enter their Names and the Places where their Buildings are to be, and pay 6 s. 8. d. taking an Acquittance for the same, upon shewing which to the Surveyors or any of them, they shall survey and set out the Foundations within three days after such Request. Builders that have laid Foundations since the former Act, shall pay to the Chamberlain 6 s. 8. d. for every Foundation, in default whereof, he may sue for it before the Mayor and Aldermen.

LVI. Persons concerned to give obedience to the determination of the Alderman of the Ward, &c. by the former Act, or to the Mayor and Court of Aldermen by this Act, shall obey the same under the Penalties that may be inflicted for any irregularly built House.

LVII. Differences concerning misplacing, straitening or stopping up common or private Entries, Alleys, Ways, Stairs and other Encumbrances, shall be determined as differences concerning placing or stopping Lights and Water-courses, are appointed to be determined by the former Act, and under the penalties for non-obedience that may be inflicted on irregular Builders. And all obstructions to Lights, Water-courses, Gutters, Alleys, Entries, Stairs, &c. may by Order of the Mayor and Aldermen be abated.

LVIII. Such Rates shall be taken and no other for Wharfeage and Cranage, as shall be assessed by his Majesty, a Table whereof shall be hanged up at every Warf, on pain to forfeit 10 l. for every Offence with full Costs of Suit to the Party grieved.

LX. The Act for erecting a Judicature revived with additional powers, and to remain in force till the 29. of *Septem.* 1671.

LXI. The term of forty years shall not be added to any Estate for Life, or term of years, so as to make the whole exceed sixty years by any future Decree.

LXII. Where no Complaint or Request shall be exhibited before the said Judges and Barons before the 29. of *Septem.* 1670. the Landlords or Proprietors may re-enter and avoid the interest of the Tenants in possession, and other mean Tenants, and build.

LXIII. Where Termors have omitted to rebuild, and their Landlords or their Assignees have built or begun to build, the Leases of such Termors shall be void: but the Judges may make them such Recompence as they think fit.

LXIV. Leases and Counterparts thereof shall be executed according to their Decrees, and shall be good in Law, any Law, Statute or inability notwithstanding. Present and additional Terms may be conjoined in one Lease.

LXV. The said Justices and Barons may decree Leases against Infants and their Trustees, upon Petition of the Father, Mother, or next of Kin to them, not exceeding fifty one years, to such as will undertake the rebuilding of such Houses, upon such Terms as the said Justices or Barons or three of them shall think fit, such Infants when they come of Age, and in case of their Death, their Heirs, Executors, &c. shall execute such Leases, and the Tenants the Counterparts.

LXVI. Such Decrees shall bind Issues in Tail, and Remainders, and Reversioners.

LXVII. Persons decreed to build and building accordingly, shall enjoy their Estates according to the Decree, notwithstanding any other Interest in Law or Equity or Incumbrance whatsoever.

LXVIII. Persons decreed to pay Money may be sued for the same in any Court of Record at *Westminster* or *London*, and give the Decree in Evidence: Persons decreed to do any Act, shall be liable to an Action upon the Case for non-performance, or may be enforced to perform the same by a Bill in Equity.

LXIX. The said Judges and Barons may hear and determine all Differences arising about Houses in *London* consumed by Fire within three years before the late dreadful Fire, in like manner as they may any matter herein mentioned.

LXX. The said Judges and Barons or three of them may determine all Differences arising by reason of enlarging several Streets, and making the new Streets called *Kings-street* leading from *Guild-hall* into *Chancery-lane*, and *Queen-street* leading from *Soper-lane* to the *Palace*, &c.

LXXI. There shall be paid for all Coals imported into the Port of the City of *London*, after the 1st of *May* 1670. and before the 24th of *June* 1677. 2 s. per Chaldron over and above the former Imposition, and after the 24th of *June* 1677. till the 29th of

of *Septem. 1687. 3 4. per Chaldron*: to be collected and by the former Act is limited: and all powers, directions and provisions in the former Act relating to the duty of *12 4. per Chaldron* imposed thereby, shall be in force and be exercised for the collecting and levying the duties aforesaid: the Moneys so received, to be paid into the Chamber of *London*, and from thence issued according to the appointment of this Act, *viz.* three fourth parts of what shall be raised after the *1st of May 1670.* and before the *24th of June 1677.* shall be employed toward the building of *Parish Churches*, according to Order from the *Archbishop of Canterbury*, the *Bishop of London*, and the *Lord Mayor of London* for the time being, or any two of them, by Warrant under their Hands and Seals: and the other fourth part for giving satisfaction for Grounds set out for enlarging Streets, making Wharfs, Market-places, and other publick uses in this and the former Act mentioned: and one moiety of Moneys which shall be raised after the *24th of June 1677.* for the Re-building, &c. of *Parish Churches* by Warrant as aforesaid; and the other moiety for giving Satisfaction for Ground set out and imploy'd as aforesaid.

LXXI. *10 s.* out of every *100 l.* shall be defalked for the use of the City, in lieu of the Trouble and Charges attending the Rate and Payment thereof.

LXXII. One fourth part of the Money appointed for building *Parish Churches* may be imploy'd towards the building the *Cathedral Church of St. Paul.*

LXXIII. The *Archbishop of Canterbury*, *Bishop of London*, and *Lord Mayor* for the time being may engage the Profits arising by the said Impositions, and appointed for building Churches, or any persons that will advance Money upon that security: the Money borrowed to be employed accordingly; and may assign such proportions of Moneys out of the said Impositions, to such as will secure the advancement of present Money for building their *Parish Churches.* And the *Mayor*, *Commonalty*, and *Citizens of London* may engage the residue of the Profits arising by the said Impositions, as security for Money taken up for that purpose, and may assign any sum or sums to be paid of course to any whole Ground shall be taken as aforesaid.

LXXIV. There shall be left a Key or open Wharf from *London Bridge* to the *Temple*, forty foot broad; and in order thereunto all Buildings, Sheds, &c. within forty foot Northward of the *Thames*, shall within eight months ensuing be taken down and removed, and the Buildings to front the said Key shall bear the second or third Rate of Buildings, observing Uniformity as in other Streets. See more in the Statute at large.

LXXV. *Bridewell-Dock* shall be made Navigable from the *Thames* to *Holborn-Bridge*: and the Ground set out for the breadth of the Channel and of the Wharfs on each side shall not be less than *100. foot*, nor exceed *120.* the line of the Channel, and the Wharfs

and Levels thereof, together with the Cranes and Stairs placed thereon, shall be asserrain'd by the Lord Mayor and Court of Aldermen, with the Kings approbation, and set out by Surveyors before the first of *May* next: the charge to be defrayed by the Mayor, Commonalty and Citizens of *London* out of the fourth part of the Imposition upon Coals. For giving Satisfaction for Ground employ'd as aforesaid, or impair'd, and raising of Money upon such as are meliorated, the authorities and forms of proceedings in the former Act ordained in like cases, shall be observed. The return of the Key about *White-Friers-Dock* shall not exceed the breadth of twenty foot.

LXXVI. No Houses built upon the scite of any House burnt or demolished shall be liable to any incumbrance by any matter before the Fire, besides what the value of the Ground unbuilt would extend to satisfy, unless such incumbrances as were contracted by the new Owners.

LXXVII. If any persons lawfully possess'd and esteem'd Owners of Ground for the space of twenty one years, shall grant Leases upon valuable Ground-Rents, so to be esteem'd by the Mayor and Aldermen or three of them, though such Lands be recovered from the Grantor, the Leases shall be good, the Builders paying the Ground-Rents only to the right Owners.

LXXVIII. The Water-house near *Broken-wharf* may be built with Timber. No continuance of the said restraint from building shall extend to the Water-house at *London-Bridge*. Proprietors of Ground may leave old Foundations unbuilt to make new Streets or Bridges, or enlarge old ones, paving and amending the same within convenient time after their building.

LXXIX. The Mayor and Court of Aldermen may cause a Street to be opened fourteen foot wide, from the West end of *Threadneedle-Street* down to *Lothbury*, if the Proprietors do it not before the first of *May* next, making allowances as by the former Act for opening of Streets is directed.

LXXX. The remainder of *Bury-street* in *Bevis-marks*, yet unbuild, may be built after the Model of the other new Building in the same Street.

LXXXI. All Ground taken out of the Streets and Lanes shall be allotted to the Houses, the Owners thereof giving Satisfaction for such Ground according to the usual Rates.

LXXXII. The Mayor, Commonalty and Citizens of *London* shall have a Market three or four days of the Week upon the Ground now set out by the Dean and Chapter of *St. Paul London*, between *New-gate*: the Dean and Chapter shall make Leases thereof to the City, and of the Wall of the Church-yard about upon *Paternoster-row* and the *Old-change*, for fourty years, at 4 *l.* yearly Rent for the Market-place, and 2 *d.* for every superficial foot of the soil of the Wall: and so from fourty years to fourty years, for ever: one penny Rent to be paid by way of Fine: no building shall be erected on

on the Market-place other than the Market-house already without consent of the Dean and Chapter.

LXXXIII. The number of Parishes to be settled, and of Churches to be rebuilt shall be Fifty one, in lieu of those that are burnt and demolished. For their Names, see the Act at large, as also for their Dimensions and Method of Building, their Unions, Rectors Charges.

LXXXIV. This Act shall not deprive the present Incumbents now in possession of any the Churches not to be rebuilt of the Profits thereunto belonging, so long as they assist in serving the Cure and other Offices according to the Ordinaries direction in the Church whereto their Parishes shall be united. Saving to the King the first Fruits and Tenths of such Churches, consolidated as aforesaid, and saving the Rights of Strangers.

LXXXV. The Warden and Minor Canons of St. Pauls shall enjoy the Duties arising within St. Gregories Parish, as before the Act.

LXXXVI. The sites of the Parish-Church impropriate of St. Mary Cole-Church are hereby settled upon the Wardens and Commonalty of the Mercers Company, who shall pay to the Lord Mayor and Aldermen of London for the same, such sum of Money towards the Rebuilding of the Church whereunto the same is by this Act appointed to be united, as shall be agreed on or assessed by a Jury, as in other cases by the former Act is appointed.

LXXXVII. Incumbents indemnified as to Re-building their Chancels, Parsonage and Vicarage-houses, and from the payment of all First Fruits, Tenths, and Pensions due to the King, and all other Dues whatsoever till they receive the Profits as formerly. Ministers presented since the Fire indemnified for not reading the Thirty nine Articles, or not doing other things enjoyn'd by Law, till the Churches are made fit for Publick Worship.

LXXXVIII. Parsons and Vicars may let their Glebe-Lands with consent of Patron and Ordinary for any term not exceeding twenty years, at such Rent without Fine as can be obtained: no lease to be curr'd since the Fire shall make void any presentation made by the Patron, whereupon the Incumbent is inducted.

LXXXIX. If the Mayor, Commonalty and Citizens are concerned as parties in any Difference whereof the determination by this Act refer'd to the Mayor and Court of Aldermen; the Justices of the Kings Bench, Common-Pleas, or Barons of the Exchequer of the Coif shall finally determine it.

XC. A Postern shall be made on either side Ludgate; for which purpose the Gate may be enlarged.

XCI. The Mayor, Aldermen and Common Council shall not proceed to sell any Ground for not building on it before the 24th. of March 1671. and any person may leave part of the ancient Foundation unbuilt to make a Court, Yard or Garden backwards.

XCII. Ten

Tenants in Tail, Tenants for Life, Lives or Years determinable upon Lives, may Demise Ground of burned Houses without Fine, at the most improved yearly Rent to such as will Build, for any Term not exceeding 50 years.

XIII. His Majesty and his Privy-Council shall determine all Differences touching *Serjeants-Inn* in *Fleet-street*: and may Decree a Lease to be made thereof not exceeding 60 years, to the use of the Society of the Judges and Serjeants at Law.

XIV. The said Justices and Barons, or three of them, may determine all Differences arising between Landlords and Tenants concerning the Houses blown up or pulled down for safeguard of the Town, as if they had perished by the late Fire.

XV. Defendants in Actions for any thing done in Execution of his or the former Act, may Plead the General Issue, and give the same in Evidence; and if a Verdict pass for the Defendant, or the Plaintiff be Non-suit, or Discontinue after the Defendant hath appeared, the Defendant shall have double Costs.

XVI. This Act shall not make void any thing done by virtue of any Commissions granted by his Majesty, his Heirs or Successors in pursuance of two Acts of Parliament, one in the first year of Queen Elizabeth, and another in the fourteenth of the present King, or of any other Law, whereby his Majesty, &c. may appoint Wharfs and Docks, and declare the Bounds and Privileges of the Port of London, &c.

XVII. Stat. 22 & 23 Car. 2. cap. 14. An Act for determination of Differences touching Houses burnt or demolished within any year since the late dreadful Fire in London. See the Statute at large.

XVIII. Enacted likewise, That the Mayor, Aldermen and Common-Council of the City of London shall not sell any Ground, upon any House stood at the time of the late dreadful Fire, for any Building thereon before the 29th of September 1672.

XIX. The Master and Chaplains of the *Swoy* may Demise the within Lodgings there for any Term not exceeding forty years, at such yearly Rents as they can procure, without Renewing.

C. Stat. 22 & 23 Car. 2. cap. 15. The annual Tithes of Parishes in London whose Churches were demolished or consumed by the late Fire, and which remain single, or are united, shall be as follows, viz.

	l.	s.	d.
The Parish of <i>Albhallows Lombard-Street</i> —————	100	00	00
<i>Jerusalem Exchange</i> —————	100	00	00
<i>St. Bride, alias Brides</i> —————	120	00	00
<i>St. Dunstons Fink</i> —————	100	00	00
<i>St. Michael Crooked-lane</i> —————	100	00	00
<i>St. Christopher</i> —————	120	00	00
<i>St. Dunstons Church</i> —————	120	00	00
	St Dunstan		

St. Dunstan in the East	100
St. James Garlick-Hythe	100
St. Michael Cornhil	140
St. Michael Bassishaw	132
St. Margaret Lothbury	100
St. Mary Aldermanbury	140
St. Martin Ludgate	100
St. Peter Cornhil	110
St. Stephen Coleman-Street	110
St. Sepulchre	200
Albhallows Breadstreet and St. John the Evangelist	140
Albhallows the Great and Albhallows the Less	200
St. Alban Woodstreet and St. Olaves Silverstreet	170
St. Anne and Agnes and St. John Zachary	140
St. Augustine and St. Faith	172
St. Andrew Wardrobe and St. Anne Blackfriars	140
St. Antholin and St. John Baptis	120
St. Bennet Grace-Church and St. Leonard East-cheap	140
St. Bennet Pauls-wharf and St. Peter Pauls-wharf	100
Christ-Church and St. Leonard Foster-lane	200
St. Edmond the King and St. Nicholas Acons	180
St. George Botolph-lane and St. Botolph Billingsgate	180
St. Lawrence Jury and St. Magdalen Milkstreet	120
St. Magnus and St. Margaret New-Fish-street	170
St. Michael Royal and St. Martin Vintry	140
St. Matthew Friday-street and St. Peter Cheap	150
St. Margaret Pattons and St. Gabriel Fanchurch	120
St. Mary at Hill and St. Andrew Hubbard	200
St. Mary Woolnoth and St. Mary Woolchurch	160
St. Clement East-cheap and St. Martin Orgars	140
St. Mary Abchurch and St. Lawrence Pountney	120
St. Mary Aldermay and St. Thomas Apostles	150
St. Mary le Bow, St. Pancras Soper-lane, and Albhallows Honey Lane	200
St. Mildred Poultry and St. Mary Colechurch	170
St. Michael Woodstreet and St. Mary Staining	100
St. Mildred Breadstreet and St. Margaret Moses	130
St. Michael Queen-Hythe and Trinity	160
St. Magdalen Old-Fish-street and St. Gregory	120
St. Mary Somerset and St. Mary Moonthaw	110
St. Nicholas Coleabby and St. Nicholas Olaves	130
St. Olave Jewry and St. Martin Ironmonger-lane	120
St. Stephen Walbrook and St. Bennet Sherehog	100
St. Smithin and St. Mary Bothaw	140
St. Vedast, alias Fosters, and St. Michael Quern	100

to be the annual Maintenance (besides Glebes and Tithes, Gift or Bequests) of the respective Parsons, Vicars and Curates.

CII. Aldermen or their Deputies, and Common-Council-men of the several Wards, with the Churchwardens, and one or more Parsonages of the respective Parishes, to be nominated by such Aldermen, Deputy, Common-Council-men, and Churchwardens, or any five of them, whereof the Alderman or his Deputy to be one, and before the 30th of *May* 1671. Assess upon all Hereditaments whatsoever, except Parsonage and Vicarage-houses, the respective Sums, or so much of them as is more than what each Impropiator by this Act enjoyned to allow, the said Assessments to be finished before the 24th of *July* then next ensuing.

CIII. Persons aggrieved by such Assessment may complain to the Mayor and Court of Aldermen within fourteen days after notice thereof, who summoning the parties aggrieved, and those that made the Assessment, may determine the same in a summary way, without Appeal.

CIII. Assessments made by virtue of this Act, may be reviewed and altered within three months after the 24th of *June* 1674, according to the aforesaid Rules, and again within three months after the 24th of *June* 1681, every such new Assessment to be liable to the Appeals, as aforesaid.

CIV. If the said Alderman, Deputy, &c. after Summons and Request by the Mayor and Court of Aldermen, or Incumbents of the said Parishes, shall neglect to make such Assessments, persons summoned and required by the said Alderman, Deputy, &c. may do the same.

CV. The Assessors within ten days after such Assessments made, and the respective Appeals, if any be determined, shall make three Transcripts thereof in Parchment, and subscribe the same, one of which shall within twenty days after such Subscriptions be returned to the Lord Mayor of *London*, to be kept among the Records of the City; another into the Registry of the Lord Bishop of *London*, and the other shall remain in the Vestry of such respective Parish.

CVI. The Sums so Assessed shall be paid at the four usual Feasts, or within fourteen days after each, by equal payments: the payments to begin from such time as the Incumbents shall begin to Officiate in the respective Parish Church, or some Place to be nominated by the Bishop of *London*, or the Archbishop of *Canterbury* within his Peculiars.

CVII. The Impropiators of any of the said Parishes shall allow what they ought to do before the Fire, such Allowance to be allowed part of the Incumbents Maintenance.

CVIII. Upon refusal of Inhabitants to pay the Sums hereby appointed to be paid, upon demand made at the Premises whereout the same is payable, the Lord Mayor of *London*, upon Oath of such refusal,

refusal, may grant Warrants for the Collector with assistance of a Constable, to Levy the same by Distress and Sale of the personal Goods, restoring the overplus.

CIX. If the Lord Mayor and Court of Aldermen shall neglect to execute the Powers hereby granted, the Lord Chancellor or Keeper of the Great Seal, or two Barons of the Exchequer, may by Warrants under their Hands and Seals, do what the Lord Mayor, ought to have done.

CX. Where the Parishes have become vacant since the Fire, the surviving Incumbents of Parishes therewith consolidated, shall have like remedy for the Tythes hereby settled, as if actually Presented, &c. into both Parishes since the Union.

CXI. No Court or Judge shall hold Plea of Money due by virtue of this Act, other than the persons hereby authorized.

CXII. The Warden and Minor Canons of St. Pauls may receive the Duties arising within the Parish of St. Gregory as heretofore.

CXIII. Stat. 22 & 23 Car. 2. cap. 17. A Clause in a late Act of this present Parliament, Entituled, *An Act for the Re-building of the City of London*, wherein was Enacted, That the number and places for Common-sewers, Drains and Vaults, and the manner of paving and pitching Streets and Lanes in the said City and Liberties, should be set out by persons appointed by the Mayor, Aldermen and Common-Council, or seven of them, together with the Surveyers or one of them, within their Precincts respectively, which persons, or seven of them were impowred to impose Taxes upon Houses, in proportion to the benefit they receive thereby, and to Levy the same by Distress and Sale of Goods; and all other Commissioners forbidden to intermeddle in the Premises for the space of seven years, and till the intended Building should be finished; is hereby made perpetual, together with the Powers thereby given and appointed to be executed.

CXIV. The sole Powers of regulating the keeping clear, pitching and paving the Streets, &c. with the manner thereof, and of making and cleansing Drains and Sewers, shall remain in the Mayor, Commonalty and Citizens, to be executed by such as the Mayor, Aldermen and Commons in Common-Council shall appoint, or seven of them, being all Members of the said Court.

CXV. Persons employed in any the said Works, enjoyned to observe the Directions of the persons in that behalf authorized.

CXVI. Offenders may be proceeded against at the next Session of the Peace for the said City and Liberties, unless they submit to the Censure of the persons in that behalf authorized, and pay the Mulct by them imposed, to the Chamber of London, to be employed toward the Works in this Act mentioned.

CXVII. The persons so authorized may impose Taxes upon the several Wards and Precincts, and direct Precepts to the respective

Deputies and Common-Council-men, to Assess the same in manner following; and like Precepts to Scavengers to Collect the same.

CXVIII. Where any Church or Church-yard shall from any Street, &c. they may Assess a reasonable proportion upon the Parish, to be paid by the Churchwardens: of which Assessments the Deputies and Common-Council-men shall return Duplicates with the Scavengers Names, within twenty days after receipt of the Precepts, in default of the said Deputies and Common-Council, the said persons to be authorized may rate the said Assessments: in default of payment within six days after demand, the Scavengers may Levy the same by Distress and Sale of Goods, &c.

CXIX. The Money so Collected to be paid into the Chamber of London, not to be issued thence, but by Order of the said persons to be appointed, or seven of them.

CXX. Inhabitants aggrieved through defect or decay of Pavements, or want of cleansing the Streets, &c. shall upon proof that such Grievance is unreformed, receive Directions from the persons to be authorized, or seven of them, for redressing the same, and a Warrant to the Chamberlain of London, to issue Moneys for defraying the Charge thereof, together with any Sum for encouragement of their diligence, not exceeding 10 s.

CXXI. The Mayor, Aldermen and Commons in Common-Council may set out and purchase Ground for Laystalls and Places for publick Stores, for receipt of Dirt and Rubbish, carried out of the City, and for other Materials and Commodities: the Money for the same to be paid out of the Moneys arising by the Imposition upon Coals appointed for publick uses of the City, other than the money appointed for building Churches.

CXXII. Persons aggrieved by any Charge imposed by virtue of this Act, within five days after demand thereof may appeal to the Mayor and Court of Aldermen, whose Order therein shall be final.

CXXIII. No persons by this Act made liable to be rated towards the altering, mending or cleansing the said Vaults, Sewers, or cleansing, &c. Streets, Lanes, &c. shall after the first of May 1671, be otherwise charged or liable thereunto.

LORDS.

Stat. 31 H. 8. 10. A Direction how Lords and other great persons are to be placed in Parliament. See the Statute at large.

Mainprizal and Bail.

I. *Marlbr.* 52 H. 3. 27. Albeit a Clerk, being upon a Charge against the Crown (after Arrest) let to Bail or Replevied by the Kings Command, will not, or cannot (by reason of his Clerkship) make Answer before the Justices; yet shall not there withhold him to Bail, or his Sureties, be Amerced, so as he appears before the Justices.

II. *West.* 1. 15. 3 E. 1. Forasmuch as before this time it had not been determined what persons are Repleviable, and what to save onely such as be taken for the death of a Man, or by the Command of the King or his Justices, or for the Forest; it is now provided, That persons Outlawed, and such as have abused the Realm, Provers, and such as be taken with the manner, Robbers, breakers, Thieves, openly defamed and known, Apelles, and others, (during the life of such Provers) House-burners, Contemners of the Kings Seal or Coin, Excommunicate persons, and Offenders and Traitors, are not Repleviable by common Law without Writ.

III. Persons guilty of Larceny by Inquests taken before Justices or Bailiffs, or of petty Larceny, not before detected, or guilty to any Felony, or onely guilty of some light suspicion, are not to be taken by good Sureties, for which the Sheriff shall be answerable.

IV. If any Sheriff or other, having the custody of a Prisoner, any at large by Surety who is not Repleviable, and be thereof complained, he shall lose his Fee and Office for ever: and if any Under-Officer doth it, he shall suffer three months Imprisonment, or make Fine at the Kings will.

V. If any withhold Prisoners Repleviable, after they have tendered sufficient Surety, he shall be grievously Amerced; and if he take any Reward for the deliverance of such, he shall pay double the Prisoner, and be also grievously Amerced.

VI. *Stat.* 3 H. 7. 3. Two Justices (*Quor.*) have power to let to Bail persons Bailable by Law, until the next Quarter-Sessions or Gaol-delivery, and shall there certify the same, in pain of five pound.

VII. The Sheriff and all others having the custody of Gaol, shall certify the Names of all Prisoners in their custody, to the Justices at the next Gaol-delivery, at their general Gaol-delivery, in pain to suffer for every such Default, Five pound.

VIII. The Statute of 1 R. 3. 3. which gave power to one Justice of Peace, to Bail Prisoners, is Repealed.

IX. *Stat.* 1, 2 P. M. 13. None shall be let to Bail, which is forbidden to be Bailed by 3 E. 1. 15.

X. None Arrested for Man-slaughter or Felony (or suspicion thereof, being Bailable by Law) shall be let to Bail, save onely

by two Justices, (1 *Q. 17.*) being both present at the time of such Bailment, which shall be certified (together with the Examination of the Prisoner, and the Information of the Accusers) under their own Hands, at the next Gaol-Delivery; and such Examination and Information shall be taken before the Bailment.

XI. The said Justices have power to bind by Recognizance all such as can declare any thing material against the Prisoner, to appear at the Gaol-delivery, and shall there make Certificate of the said Recognizance.

XII. The Justices that offend any Branch of this Act, are liable to be Fined by the Justices of Gaol-delivery.

XIII. This Act shall not restrain Justices within London and Middlesex to let to Bail Prisoners, as heretofore they have used; only they shall certify their Examinations, Bonds and Bailments, at the next Gaol-delivery of their Jurisdiction, in pain to be Fined as aforesaid.

XIV. Every Habeas Corpus or Certiorari for the removing of a Prisoner, shall be Signed by the Chief Justice, or one of the Justices of the Court out of which the Writ issues, in pain of 5 *l.* to be forfeited by the Writer.

XV. Stat. 2 & 3 P. & M. 10. One accused of Manslaughter or Felony, who, for want of Bail, is to be sent to the Gaol, must be Examined by the Justice before he sends him thither, and the Accused must be bound over to give in Evidence against him, whose Examination must also be taken and committed to Writing within ten days after at farthest, and all certified in at the next Gaol-delivery, as by the Statute of 1 & 2 P. M. 13. is limited, upon the Penalty therein expressed.

XVI. Stat. 2. 13 Car. 2. cap. 2. None Arrested by Process out of the Kings-Bench or Common-Pleas, in which Process the true nature of Action is not expressed, and for which the Defendant is liable by 23 H. 6. cap. 10. shall be forced to enter into Bond with Sureties for appearance in any Sum exceeding 40 *l.* which Bond, after appearance entered by Attorney, shall be discharged, and after that, no Amerciaments shall be set upon any Officer or other person concerning such Appearance: and unless the Plaintiff put in his Bill or Declaration before the end of the next Term, a Non-suit may be entered, and the Defendant shall have Judgment for Costs, according to 23 H. 8. cap. 15. This Act shall not extend to Writs of Cap. Attachment, Attachments upon Rescous, Attachment of Priviledge, or any Attachment of Contempt.

* I. *Stat. 1 R. 2. 3 E. 1.* No Clerk of the King, or of any Justice, shall receive the Presentment of any Church for which there is no bare in the Kings Court, without the Kings special Licence, in pain to lose the Church and his Service: And no Clerk of any Justice or Sheriff shall take part in any Suits, or use fraud, whereby common Right may be delayed, in pain to be punished as aforesaid, and more grievously, if the Trespas require it.

II. *Stat. 1 E. 3. Parl. 2. 14.* None shall maintain Quarrell and Parties in the Countrey, to the Let and Disturbance of the Common Law.

III. *Stat. 20 E. 3. 4.* None shall maintain any Quarrels for their own, in pain to have their Body, Lands and Goods to be at the King pleasure.

IV. *Stat. 1 R. 2. 4.* No great Officer of the King shall maintain Quarrels in the County, in pain of a Fine to be imposed by the King and his Council; and no other person, in pain of Imprisonment, and to be Fined at the Kings will: and if he be the Kings Officer, or Household-Servant, he shall also lose his Office.

V. *Stat. 7 R. 2. 15.* The Statutes of 1 E. 3. *Parl. 2. 14.* (which see in Nisi prius) 1 R. 2. 4. and 1 R. 2. 9. (which see in Verdicts) made against Maintenance and Champerty, shall be duly put in Execution.

* VI. *Stat. 32 H. 8. 9.* All Statutes which concern Maintenance, Champerty and Embracery, shall be duly put in Execution.

VII. None shall buy any pretended Right or Title to any Land, unless the Seller hath taken the Profits thereof one whole year before such Bargain, in pain that both the Buyer and Seller, each of them forfeit the value of the same Land, to be divided betwixt the King and the Prosecutor.

VIII. None shall unlawfully maintain any Suit or Action, nor any person for Maintenance, embrace Jurors, or suborn Witnesses to the hindrance of Justice, or procurement of Perjury, in pain to forfeit for every such Offence 10 l. to be divided betwixt the King and the Prosecutor.

IX. Howbeit, purchasing of a pretended Title by him that is already lawfully possessed of the thing whereunto Title is made, is lawful.

X. Proclamations shall be made at the Assizes of the Summers made against Maintenance, Champerty, Embracery, and unlawful Retainers.

XI. The Offenders against this Act shall be prosecuted within one year.

I. Stat. 17 R. 2. 4. Malt made in the Counties of *Huntingdon*, *Cambridge*, *Northampton*, and *Bedford*, and brought to *London* for the provision of the Court and City, shall be well cleansed from Dust and other Filth; and Mayors, Bailiffs and Wardens of Towns and Places where it is sold, have power to make search, and to see Defaults redressed.

* II. Stat. 2 E. 6. 10. None shall employ less time in the making and drying of Malt, except in the Months of *June*, *July*, and *August*, then three weeks; nor in those Months less than seven-teen days; nor put to sale any Malt mingled of good and bad: in pain to forfeit for every Quarter so put to sale, 2 s. to be divided betwixt the King and the Prosecutor.

III. None shall put any Malt to sale before (by treading, rubbing and fanning it) he shall have conveniently taken out of every Quarter half a Peck of Dust or more, in pain to forfeit 20 d. for every Quarter otherwise sold, to be divided betwixt the King and the Prosecutor.

IV. Justices of Peace in Sessions, and Stewards in Leets, have power to hear and determine these Offences, as well by Presentment of twelve Men, as by information of two Witnesses.

V. Bailiffs and Constables of Towns and Places where faulty Malt is made or mingled, as aforesaid, have power to make search for it, and being found (with the Advice of a Justice of Peace), to make sale thereof at their discretions.

VI. None shall be punished by this Act who onely maketh Malt for his own provision, nor unless the Action be prosecuted within one year.

VII. Stat. 39 Eliz. 16. Justices of Peace in Sessions have power at their discretions to restrain the superfluous number of Maltsters, and also of the Buyers of Barley to be converted into Malt.

VIII. If any Persons shall be convicted by the Testimony of two Witnesses, or his own Confession, to have disobeyed the Restraining aforesaid, they shall suffer three days Imprisonment without Bail, and shall there remain, until they shall (before some Justice of Peace) become bound by Recognizance in 40 l. to obey the said Restraine.

IX. Justices of Peace in the County shall not execute this Law within Corporations; but onely the Justices and chief Officers of the same Corporations.

X. Such as have Barley of their own growing, Tithe-Corn, or Rent-Corn, may convert it into Malt, notwithstanding this Statute.

XI. Maltsters shall not meddle with the Execution of this Act.

XII. Stat.

shall be 8 s. and 6 d. and the Custom 18 d. for a Subject
Stranger 10 s. and 22 d. half-penny.

XIII. This Act shall not infringe the Statute of 34
1 Jac. 24. or any other Statute made for the bringing in of
board, Cask, or Scaffold-board.

Merchants, Merchandize.

I. Magna Charta 30. p H. 3. Merchant-Strangers shall have
safe Conduct of coming into, going out of, and remaining in England
to buy and sell, without being exacted upon by excessive Tolls, ex-
cept in time of War, if they be of our Enemies Countrey: and
beit they be so, yet so long as our Merchants be used well here,
they shall have the like usage here.

II. Stat. 9 E. 3. 1. Merchant-Strangers may freely buy and
sell within the Realm without Disturbance, except they be of
Enemies.

III. If any Disturbance or Abuse be offered them or any other
Merchant in a Corporation, and the Head-Officer there do not (upon
request) provide remedy, the Franchise shall be seized into the
Kings hand, and the Disturber (being thereof Attainted) shall suffer
double Damages to the party grieved, suffer one years Imprison-
ment, and be Ransomed at the Kings will.

IV. If the Disturbance be out of a Franchise, and the Lord there
or his Bailiff, Constable or chief Ruler, do not (upon request) pro-
vide remedy, he shall (being Attainted thereof) render double
Damages to the party grieved, and the Disturber (being also thereof
Attainted) shall also suffer one whole years Imprisonment, and be
Ransomed at the Kings will.

V. Howbeit, Merchants-Aliens shall carry no Wines out of the
Realm.

VI. This Law shall be strictly observed throughout the Realm,
notwithstanding any Charter, Franchise or Custom to the contrary,
saving to the King his due Customs.

VII. The Chancellor, Treasurer, Justices assigned by Com-
mission to hold Pleas, and others, by special Commission from the
King, shall have power to hear and determine these Misdoings
ours.

VIII. Stat. 14 E. 3. Stat. 2. 2. All Merchants (except En-
emies) may safely come into England with their Goods and Mer-
chandize, carry and return, paying the Customs and Subsidies.

IX. Franchises and free Customs reasonably granted to Cities,
Towns and Burroughs, are saved.

...ment, Liens, Allowances and Judgments to the contrary
repealed and made void.

XI. All Merchants may freely sell their Commodities without
Challenge or Impeachment of any Officer or other, notwithstanding
any Franchise, Grant or Custom to the contrary.

XII. The King may assign Justices to enquire of such as offend
the Law, and to inflict punishment upon them, according to the
statute of 9 E. 3.

XIII. Any that will Sue against any such Offender, may have a
Writ out of the Chancery for that purpose.

XIV. Stat. Stapul. 27 E. 3. Stat. 2. 2. A safe Conduct is granted
to Merchant-Strangers (except Alien Enemies) to come and dwell
in this Realm, and to return when they please; as also to sell their
Commodities, without having them taken from them against their
will upon any colour whatsoever.

XV. If any Officer or other offend against this Law, he shall be
arrested by the Head-Officer of the Place, if it be out of the Staple;
and if within the Staple, then by the Mayor and Ministers of the
Staple; and shall be speedily proceeded against according to the
Statute Law, and not at the Common Law; and being Attainted
thereof, shall answer double Damages to the party grieved, and as
much to the King.

XVI. All Commissions made or to be made to take such Prices
of Merchants shall be void.

XVII. Stat. 27 E. 3. Stat. 2. 3. All Merchants may buy Mer-
chandize of the Staple, so as they bring them to the Staple.

XVIII. It shall be Felony for an *English*, *Welsh*, or *Irish*-man, to
Transport Wooll, Leather, Woolfels, or Lead.

XIX. No *English*, *Welsh*, or *Irish*-man shall Transport Wooll,
Leather, Woolfels or Lead in a Strangers name, or keep a Servant
beyond Sea to survey the sale thereof, or to receive Money there for
the same.

XX. There shall be no Exchange of Wares for Merchandize of
the Staple, but payment in Gold, Silver, or *English*, *Welsh* or *Irish*
Merchandize; neither shall any Merchants make any Confederacy
in fraud or deceit of this Ordinance: and all this upon the pains a-
foresaid.

XXI. Every Man may carry his own Wooll, Leather, Woolfels
and Lead to the Staple to sell them there; howbeit he shall then
warrant the packing of his Wools.

XXII. Stat. 27 E. 3. Stat. 2. 11. All Merchants may freely sell
their Merchandize at the Staple by gross or by retail without Chal-
lenge or Impeachment; but it shall be Felony to forestall, buy, or
give Earnest for any Merchandize before they come to the Staple
or Port, or to enter the Ship for that purpose.

XXIII. Stat.

XXIII. Stat. 27 E. 3. Stat. 2. 13. If a Merchant's Goods at Sea by Piracy or Tempest, (not being Wreck) they afterwards come to Land, if he can make proof that they are his Goods, they shall be restored to him in places guided by the Kings Officers and six men of the Countrey, and in other places by the Lords there or their Officers and six men of the Countrey.

XXIV. Stat. 27 E. 3. Stat. 2. 17. No Merchant shall be impleaded for anothers Trespass and Debt, whereof he is not Debtor, Pledge, nor Mainpennor: Howbeit, if any of this Realm damaged by Foreign Lords or their Subjects have not Right done them, Letters of Mart shall be granted to repair them.

XXV. If any difference arise betwixt the King and any other Foreign Lord who hath Merchants here his Subjects, those Merchants shall have (by Proclamation) forty days given them to depart; and if (for some just Cause) they cannot go so soon, they shall have longer time given them, until they may conveniently depart; and shall in the mean time sell their Merchandize, if they can.

XXVI. Stat. 27 E. 3. Stat. 2. 26. Merchant-strangers upon Letters of Credence, or their Oath, shall be believed concerning the content of their Merchandize, and shall pay 3 d. *pro lib.* according to the content so testified; and their Goods shall be thereupon immediately delivered unto them, without unsealing or opening them, according to the Charter granted them by E. 1. and confirmed by this King: and all this in pain that the Officer herein offending shall suffer imprisonment, pay quadruple damages unto the party grieved, and as much to the King. And here the Remedy shall be in *Chancery*.

XXVII. Stat. 38 E. 1. 2. Any Merchant may use more Merchandize than one, notwithstanding the Statute of 37 E. 5. and may buy, sell, and transport all kind of Merchandize, paying the Customs and Subsidies due for the same, Wooll and Woolfels only excepted.

XXVIII. Stat. 2. R. 2. 1. Merchant-strangers (not Enemies) may buy and sell all things vendible within the Realm in Gros or by Retail, except Wines and great Wares, as Cloth of Gold and Silver, Silk, Sandal, Napery Cloth, Canvas, and the like; which are to be sold in Gros by whole pieces, in pain of forfeiture thereof.

XXIX. Here the Priviledges of Prelates and Lords for Purveyances, and the things provided for by the Statute of the Staple of Calais, are saved.

XXX. Merchants may buy and sell in Fairs and Markes in Gros or by Retail, notwithstanding this Statute.

XXXI. Disturbers of Merchants against this Act (being thereof attainted) shall render double damage, suffer a years imprisonment, and be ransomed at the Kings will.

XXXII. If

XXXII. If Right be not done to the Party grieved in a Franchise, it shall be seized into the Kings hands; if out of a Franchise, the Lord or his Officer shall render to the Party grieved double damages.

XXXIII. The Chancellour, Treasurer, Justices assigned to hold Pleas, and Justices assigned by special Commission, shall hear and determine these Offences.

XXXIV. Stat. 5 R. 2. Stat. 2. 1. Merchant-strangers may come into this Realm, continue here, and depart at their pleasure, without disturbance or impeachment of any, and shall be friendly continued and intreated of all.

XXXV. Stat. 11 R. 2. 7. The Statutes of 9 E. 3. 1. and 25 E. 3. Stat. 4. 2. are confirmed, notwithstanding any Charter, Proclamation, Custom, &c. to the contrary.

XXXVI. Stat. 14 R. 1. 9. Merchant-strangers shall be courteously intreated, to the end they may be thereby the rather encouraged to come into this Kingdom.

XXXVII. Stat. 16 R. 2. 1. No Merchant-stranger shall buy or sell within the Realm with another Merchant-stranger to sell again, nor sell any Merchandize by Retail but Vintners: only Wine shall sell by whole Vessels.

XXXVIII. The Statutes of 9 E. 3. 1. 25 E. 3. Stat. 4. 2. and 11 R. 2. 7. are confirmed.

XXXIX. Stat. 20 R. 2. 4. The Statute of 28 E. 3. 1. (which is in Staple) is confirmed, notwithstanding any Ordinance to the contrary.

XL. Stat. 4 H. 4. 15. Merchants shall not export the Money which they receive for Merchandize imported, but shall bestow it upon Merchandize of this Realm, their reasonable Costs excepted.

XLI. Stat. 5 H. 4. 7. Merchant-strangers shall be used in this Realm as Merchant-denizens be in other Countreys; in pain that such Merchant-strangers shall forfeit their Goods, and suffer imprisonment.

XLII. Stat. 5 H. 4. 9. Merchant-strangers shall give Security to the Kings Customers and Controllers to employ their Money in the Commodities of this Realm, their reasonable Costs excepted.

XLIII. The Statute of 4 H. 4. 15. is confirmed.

XLIV. Merchant-strangers shall sell their Commodities within a year of a year next after their arrival, and employ the Money received by exchange upon Commodities of this Realm, in pain to forfeit the same Money.

XLV. No Merchant-stranger shall sell any Merchandize to another Merchant-stranger, in pain to forfeit the same.

XLVI. The Head-Officer or Officers of the Port where a Merchant-stranger shall arrive shall assign him an Host, with whom he shall

shall reside, and the Host shall order for his palm as he is accustomed.

XLVII. Stat. 5 H. 4. 4. The Clause of the Statute touching the enjoying Merchant-strangers to sell their Commodities in a quarter of a year next after their arrival, is Repealed in the Liberties of London.

XLVIII. Merchant-strangers shall not export any Merchandise imported by Merchant-strangers.

XLIX. Stat. 7 H. 4. 9. All Merchandize may be sold in Gross in London, as well to all the Kings people as to the Citizens of London, notwithstanding any Franchise or Liberty to the contrary.

L. Stat. 4 H. 5. 5. The Statute of 5 H. 4. 7. and 5 H. 4. 9. touching the using of Merchant-strangers are confirmed.

LI. Stat. 8 H. 6. 24. No Merchant Alien shall constrain any of the Kings Subjects to pay him his Debt in Gold, nor shall he receive payment thereof in Silver, in pain to forfeit the Value thereof.

LII. No English-man shall sell his Goods to a Merchant Alien but for present payment in Money, or for other Merchandise to be presently delivered, in pain to forfeit the same.

LIII. Stat. 3 E. 4. 5. Certain Wares and Merchandize which it is not lawful to bring into this Realm ready wrought, and things made by Handy-craft-men. See the Statute at large.

LIV. Such Wares taken upon the Sea, or coming ashore by sea, and such as are wrought in Ireland or Wales, are excepted.

LV. Chief Officers of Cities, Towns, &c. shall have Authority to make search for Wares of that kind which are defective. But the Port of St. Martins le grand is excepted. Howbeit this Statute was not in force but during the Kings will, and therefore Quære whether it is now in force.

LVI. Stat. 17 E. 4. 1. pars inde. Every Merchant or other Stranger shall employ the Money by them received here for the Merchandise of this Realm, or else (without fraud) put the Money in due payment within this Realm, to be proved by the Merchant unto whom it is so employed, or otherwise before the Mayor, Controller, or Head Officer or Officers of the place where it is so employed; in pain to forfeit all his Goods found within this Realm, and to suffer a years imprisonment: only his reasonable Costs are to be deducted.

LVII. The forfeiture to be divided betwixt the King and the Prosecutor.

LVIII. Stat. 1 R. 3. 9. Italian Merchants shall sell their Merchandize at the Port where they Land in Gross, and not by Retail, in pain to forfeit the Value thereof.

LIX. They shall also sell their Commodities brought into this Realm within eight months after their arrival, and shall within that time

...shall be received for the same upon *English* Commodities (their reasonable Expences deducted) and not make over the same by Exchange: and if within that time they cannot make off the same, they shall within two months after the eight months (or as soon as they can) convey them out of the Realm: in pain to forfeit the Money so made over by Exchange, and the Merchandise after the eight months, and not conveyed away as aforesaid, at the Value thereof.

IX. They may transport their Merchandize from one Port to another, so as they sell them within the said eight months.

X. No Merchant-Stranger shall be Host to another Merchant-Stranger, unless they be of the same Nation, in pain of 40 l.

XI. No such *Italian*-Merchant shall buy and sell any Wooll or Woollen Cloth within this Realm, neither shall they make any Woollen Cloth, or deliver Wooll to that end, in pain to forfeit the Value thereof.

XII. Stat. 1 R. 3. 12. No Merchant-Stranger shall import into this Realm to be sold any Girdles, Harness wrought for Girdles, Leather-laces, Purfes, Pouches, Pins, Gloves, Knives, Hangers, Sheers, Scissors, Andirons, Cobbards, Tonge, Fire-forks, Irons, Stock-locks, Keys, Hinges and Garnets, Spurs, painted Paper, painted Forcers, painted Images, painted Beaten Gold or Silver wrought in Papers for Painters, Saddle-trees, Horse-harness, Boots, Bits, Stirrups, Bucklers, Iron Nails with iron shanks, Turnets, hanging Candlesticks, Water Pots, Chasing-dishes, hanging Lavers, Curtain-rings, Roan-cards, (except Clasps for Garments) Sheers, Spits, Bells, Hawks bells, tin and leaden Spoons, Latten and Iron, Iron-Candlesticks, Grates, Horns for Lantterns, or any of the said Wares ready made and wrought, in pain to forfeit the same or the value thereof, to be divided betwixt the King and the Prosecutor.

XIII. Stat. 3 H. 7. 8. The Statute of 17 E. 4. 1. is confirmed and made perpetual.

XIV. Merchants of *Ireland*, *Jersey* and *Garnsey* are made liable to the Law upon the like pains.

XV. Customers and Controulers shall take Security of Merchant-Strangers to observe the said Law.

XVI. Stat. 12 H. 7. 6. Every *Englishman*, being the Kings Lige-man, may freely trade at the Marts in *Flanders*, *Holland*, *Brabant*, and other of the Archduke of *Burgoins* Countreys, without any Exaction, Fines, or other contribution whatsoever, to be levied of him by the Fellowship of Merchants in *London*, or by any other for their use, or by any other such Fraternity, ten Marks at the most; and none shall in such case take or levy upon any Merchant such Exaction, more than the said ten Marks, in pain to forfeit the same to the King, and ten times so much as they shall take more

more than the ten Marks aforetold, to be recovered by the Debtor, &c.

LXVIII. Stat. 1 El. 11. None shall lade or unlade into or out of any Ship or other Vessel any Goods, Wares or Merchandize whatsoever, Fish taken by *Englishmen* only excepted, and unless it be upon a Leak or Wreck, to be imported or exported, but only in the day-time; viz. from the first of *March* until the last of *September* betwixt Sun-rising and Sun-set, and from the last of *September* to the first of *March* between the hours of seven and four; and that in such places as the Queen shall (by Commission) before the first of *September* next assign for that purpose; in pain to forfeit the Goods, Wares or Merchandize otherwise laden or unladen, or the Value thereof.

LXIX. The places so to be assigned shall be at *London*, *Southampton*, *Bristol*, *Westchester*, *Newcastle*, and in all other places (Hull only excepted) where there is a Customer, Controller and Searcher.

LXX. The Owner, Master, or other having the Charge of any Ship or other Vessel, which doth offend against this Law, shall forfeit 5 *l.*

LXXI. The Master or other having the Charge of the Vessel shall acquaint the Customer or other Officer with the times of his Lading and departure, as also what persons are to have Lading with him, and shall answer such Questions concerning the Lading as shall be demanded of him by such Officer upon Oath or otherwise; and all this, in pain of 100 *l.* The like shall be observed when he imports any Merchandize, *vice versa*, and upon the like pain.

LXXII. None shall enter any Goods in the Customers Book, in the right Owners Name, in pain to forfeit the value thereof.

LXXIII. If any Officer of the Custom-house conceal any Offence committed against this Act, and disclose it not within a month to the chief Officer there, or unto the Lord Treasurer, Chancellor Under-Treasurer, or one of the Barons of the Exchequer, or the Attorney General, he shall forfeit 100 *l.*

LXXIV. Customers, Controllers and Searchers have power to make Deputies in Ports, Creeks and Roads; and both they and their Deputies shall duly and faithfully execute their Offices, in pain of 100 *l.* and to lose their places.

LXXV. Such Custom shall be paid for sweet Wines as hath formerly been paid for Malmseys.

LXXVI. This Act shall not infringe the Liberties granted to the Isle of *Anglesey*, and the Counties of *Flint* and *Carnarvan*, to pay the due Customs and Subsidies, and lade and discharge wares at the times and hours above mentioned.

LXXVII. Stat. 43 El. 12. The Lord Chancellor or Justice shall award a standing Commission (to be renewed yearly, or often as to him shall seem meet) for the hearing and determining

of all such Causes arising, and Policies of Assurances as shall be
entered in the Office of Assurance in *London*.

LXXVIII. This Commission shall be directed to the Judge of
the Admiralty, the Recorder of *London*, two Doctors of the Civil
Law, two Common Lawyers, and eight grave and discreet Mer-
chants, or to any five of them; which Commissioners, or the
greater part of them, shall have power to hear and examine, order
and decree all such Causes in a brief and summary course, as to
their discretion shall seem meet; without formality of Pleadings or
proceedings.

LXXIX. The Commissioners have also power to summon the
Parties, examine Witnesses upon Oath, and commit to Prison
such as contemn or disobey their Orders or Decrees. They shall
meet and sit once a Week at least in the Office of Assurance,
or some other convenient publick place, for the execution of the
said Commission: and no Fees shall be there exacted by any person
whatsoever.

LXXX. If any be grieved by their Sentence or Decree, he may
within his Bill in Chancery for the re-examination thereof, so as
he first satisfie the Sentence so awarded, or deposit with the Com-
missioners the sum awarded; and then (albeit he be imprisoned)
he may be enlarged. And here the Lord Chancellor (or Keeper)
shall have power to reverse or affirm every such Sentence or Decree;
and, in case it be affirmed, to award the Party assured double

LXXXI. No Commissioner shall meddle in the execution of
the Commission in any Cause wherein himself is Party, Assured or
Insured, nor until he hath taken his Corporal Oath before the
Mayor and Court of Aldermen to proceed uprightly and indiffe-
rently between Party and Party; only the Judge of the Admiralty
and Recorder are excused from such Oath.

LXXXII. Stat. 3 Jac. 6. All the Kings Subjects shall have
free Trade into and from *Spain*, *Portugal* and *France*, notwithstanding
the late grant of an Incorporation to prohibit the same, or any
Act or thing whatsoever to the contrary.

LXXXIII. Provided that this Act shall not give Liberty for any
Person to go beyond Sea, who by Law is restrained from going,
without Licence.

LXXXIV. Stat. 3 Jac. 9. No Merchant or other shall dress
any Cony-skin to be dressed in his House, or by any Workman (being no
other) appointed by him for that purpose, any black Cony-skins
within this Realm, nor transport any such, or pack them to be trans-
ported, before they be tawed and duly wrought by such as are Ar-
tisan-Skinner, or Tawers under them, in pain to forfeit them, or
the value thereof.

LXXXV. No Merchant shall buy or contract for any Cony-skins
or Lamb-skins, under the number of 1000. black Cony-skins, 3000.

gray Cony-skins, and 2000. Lamb-skins, at one and the same time to be so bought and delivered indistinctly together, and whereby except they be bought of the Artizan-Skinners: neither shall the Merchant sell them again in less pateels than as aforesaid, (save to the said Artizan-Skinners) in pain to forfeit the fine, & the value thereof.

LXXXVI. None shall retain any Servant, Journey-man or Apprentice to work in the Trade of a Skinner, unless he himself has served seven years as an Apprentice in the same Trade, in pain to forfeit the double value of his Ware so wrought.

LXXXVII. The forfeitures aforesaid are to be divided betwixt the King and Seisor or Prosecutor.

LXXXVIII. Stat. 4 Jac. 9. The general Statute of 3 Edw. neither doth nor shall dissolve or impeach the Charter of Incorporation granted by Queen El. to certain Merchants of Exeter and their Successors.

LXXXIX. Stat. 12 Car. 2. Cap. 4. It shall be lawful to transport Iron, Armour, Baudeliere, Bridle-bits, Halberds, and Sharps, Holsters, Muskets, Carbines, Fowling-pieces, Pike-heads, Sword or Rapier-blades, Saddles, Snaffles, Sheep-skins dressed or undressed, Geldings, Oxen, Sheep-skins dressed without the Wool, and all manufactures made of Leather Gun-powder, when it doth not exceed the price of five pence the Barrel; Wheat, Rye, Pease, Beans, Barley, Malt and Oats, Beef, Pork, Bacon, Butter, Cheese and Candles, when they do not exceed at the Port from whence they are Laden, the Rates appointed by this Act (*viz.* The Act of Tonnage and Poundage, quod vide *ut.* Customs) and no more.

XC. The King by Proclamation may prohibit the Transportation of Gun-powder, or any Ammunition. Confirmed 13 Car. 2. Cap. 7.

XCI. Stat. 13 & 14 Car. 2. Cap. 13. None shall sell or transport to sale, export or import Foreign Bone-lace, Cut-work Linnen Fringe, Band-strings, Buttons or Needle-work of Thread or Cotton on pain to forfeit for selling or offering to sale as aforesaid, the Goods themselves, and for importing 100 l. and the Goods imported, the one moiety to the King, the other to him that sue in Court of Record.

XCII. Justices of Peace upon information given may license Warrants to Constables to search for such Manufactures in Shops open, Ware-houses and Dwelling-houses, and to seize them.

XCIII. Informations and Suits upon this Law must be commenced within twelve months after discovery.

XCIV.

Stat. 13 & 14 Car. 2. Cap. 19. No Foreign Wooll-cards, Card-wire, or Iron-wire for Wooll-cards shall be imported, nor Card-wire taken out of old Cards put into new Leather, and new Card-boards, nor Wooll-cards made thereof be put to sale, upon pain to forfeit all the said Wares, or the value if not seized, one half to the King, the other to him that will sue in any Court of Record at Westminster, or within the County, City or Town-corporate where the Offence shall be committed.

XCV. Owners of Wooll-cards may amend them for their own use, or transport, or sell (for transportation only) old overworn Wooll-cards.

XCVI. Stat. 13 & 14 Car. 2. Cap. 23. The Commissioners in determining causes upon Policies of Assurance entred within the Office of Assurance of London, or three of them, whereof a Doctor of the Civil Law, or Barrister of Law of five years standing, to be one, may proceed as five might have done; and in case of wilful delay of Witnesses upon the first summons, and tender of charges, and of parties upon the second summons, may punish the Offenders by imprisonment or costs. Every such Commissioner may proceed having taken an Oath before the Lord Mayor of London only, to proceed uprightly.

XCVII. Commissions shall issue out of the Admiralty returnable before the said Commissioners to examine Witnesses beyond Sea, or in any remote parts of the Kings Dominions; the Commissioners or three of them may pass Sentence and Execution against the Body and Goods, and against the Executors, &c. of the party evicted, and Costs of Suit.

XCVIII. Any one Commissioner may Administer an Oath to a Witness, notice being given to the adverse party, and set up in the Office, that such Witness may be cross examined.

XCIX. The Commissioners shall not proceed against Body and Goods for the same Debt.

Marshallsey.

I. Britt. super Chart. 3. 28 E. 1. The Stewards and Marshals of the Kings House shall not hold Plea of Frechold, Debt, Covenant, or Contract, but only of Trespass done in the House or Verge, and Contracts and Covenants when both parties are of the House: and the Plea of Trespass shall be determined before the Kings depute from the Verge where the Trespass was committed; and the Plea thereof shall be speedy, *de die in diem*: and if the Plea cannot be determined in time, the Plaintiff shall (in such case) have recourse to the Common Law.

II. The Steward shall from henceforth take no consuance of debt or other things, but of the people of the same House, nor shall hold Plea by obligation made at the distress of the said Stewards or Marshals:

shall: And if any thing be done contrary to this Act, it shall be holden void.

III. In case of death within the Verge where the Coroner is to make view, the Coroner of the County together with the King's Coroner shall do his Office, and inroll it; and what cannot be determined by the Steward before the Kings departure, shall be remitted to the Common Law; so that Exigent, Outlawries and Presentments shall be made thereupon in Eyre by the Coroner of the County, as in case of other Felonies done out of the Verge. Howbeit they shall not omit by reason hereof to make Attachments freshly upon the felonies done.

IV. Stat. 5 E. 3. 2. *pars inde*: and 10 E. 3. Stat. 2. Inquests before the Steward and Marshal of the Kings House shall be taken by men of the Countrey thereabouts, and not by men of the Kings House; except it be in Contracts, Covenants or Trespasses, when both parties are of the same House, and in the House.

V. Stat. 9 R. 2. 5. Priests and others of the Holy Church taken in the Marshalsey, shall pay such Fees as Lay-people pay, and no more.

VI. Stat. 13 R. 2. Stat. 1. 3. The Jurisdiction of the Steward and Marshal of the Kings House shall extend no farther than eight miles from the Kings Lodging.

VII. Stat. 4. H. 2. 23. The Fees of the Marshal of the Kings House shall be as in times past, and no more: *viz.* for him that cometh in by *Capias*, 4 *d.* and if he be bailed 2 *d.* more; of the Defendant in Trespass that findeth Bail to answer the Suit, 4 *d.* for every commitment by Judgment, 4 *d.* for every one delivered of Felony, and of a Felon bailed by the Court, 4 *d.* And if the Marshal or his Officers take more, they shall lose their Offices, and pay treble damages to the party grieved, and the party grieved shall have his Suit before the Steward of the Kings Court.

VIII. Here a server of Bills shall take no more than 1 *d.* for every mile distant from the Court to the place where he doth his Office; but when he serves a *Venire facias* or a *Distringas*, he shall have the double. If such an Officer takes more, he shall be imprisoned, make a Fine to the King at the discretion of the Steward, and be from thenceforth fore-judged the Court.

IX. Stat. 15 H. 6. 1. In a Suit commenced before the Steward and Marshal of the Kings House, the Defendant shall not be estopped to plead that the Plaintiff or he are not of the Kings House; but his averment thereof shall be received, notwithstanding any Record of the same Court to be produced to the contrary.

Marshes, Fens, &c.

I. Stat. 4 Jac. 8. An Act for winning from Inundation the drowned Grounds and Marshes of *Lesness* and *Fants* in *Kent* by the 10th. of *October* 1609. See the Statute.

II. Stat. 4 Jac. 13. Another for draining the Fens and low Grounds in the Isle of *Ely*, containing about 6000. Acres, compassed about with Banks called the Ring of *Waldersley* and *Coldham*. See also the Statute.

III. Stat. 7 Jac. 20. A mean to recover a great quantity of Ground lately surrounded in *Norfolk* and *Suffolk* by the Sea, and to prevent the like for the future. See the Statute.

IV. Stat. 15 Car. 2. Cap. 17. *William Earl of Bedford*, Son and Heir of *Francis Earl of Bedford*, and the adventurers and participants of them or either of them, shall be a body politick, and shall consist of one Governour, six Bayliffs, twenty Conservators and Commonalty, the said *William Earl of Bedford* to be the first Governour, and shall be capable to purchase Lands, not exceeding two hundred pounds *per annum*, and Goods and Chattels, and may lay Taxes from time to time upon the 95000. Acres only, which *Francis* late Earl of *Bedford* was to have for his Recompence of effecting that difficult Work of Draining the great Level of the Fens, for the preservation of the said great Level, and may levy the same with penalties for non-payment, not exceeding a third part of the Tax.

V. The said Governor, Bayliffs and Conservators aforesaid, or five of them, whereof the said Governor or Bayliffs, or any of them to be two, are hereby Constituted Commissioners for Sewers for the said great Level: and may act or proceed by one or more Juries of men inhabiting within any part within the Boundaries of the said great Level, as if the said great Level lay in one County only; first taking the Oath which Commissioners of Sewers are by Law to take, which Oath the said Governor or Bayliffs or any of them may Administer.

VI. Every Writ, Bill, Declaration, Information, &c. concerning any part of the Grounds within the said Level, or any Treasures, &c. done within the same, and proceedings thereupon, shall be good, though the place be not rightly named, so as there be such certainty, whereby the same may be known.

VII. No other Commissioners of Sewers shall intermeddle with the said great Level, otherwise than in this Act shall be provided.

VIII. All Conveyances by Indenture of the said 95000. Acres or any part thereof entred with the Register to be appointed by the said Corporation, shall be of equal force, as if they were by Indenture for valuable considerations of Money inrolled within six months in one of the Courts of Record at *Westminster*, and no

Lease or Conveyance of our Charge upon the same, except Leases for seven years or under in possession, shall be of force but from the time it shall be so entred; the entry whereof being entered by the Register upon such Conveyance, &c. shall be evidence in Law.

IX. For the levying such Taxes and Penalties as shall be in arrear upon the respective parts and proportions of the said 95000. Acres, the said Governor, Bayliffs, &c. shall on *Wednesday* and *Thursday* in *Whitsun-week* or either of them yearly at the Shire-house in *Ely*, have power to sell so much as the said Governor, Bayliffs, &c. shall judge sufficient to raise Taxes and Penalties by writing under the Seal of the Corporation.

X. Provided that by colour of such Sale, Tenants at Will or by Lease indented upon improved Rent shall not be removed, if they have taken off their Crop, paying a proportionable Rent. Tenants by Lease may continue out their Terms, paying a proportionable Rent to the Purchaser. No such Sale shall be made for any Tax or Penalty not in arrear four months next before the Sale.

XI. Publick notice shall be given of Lands for which any Tax or Penalty shall be in arrear by affixing a Schedule at the Shire-house or Market-place in *Ely* under the Seal of the Corporation, containing such Lands with the Owners Names, entred upon the Tax-Roll.

XII. The said Corporation may erect new Works within or without the said great Level, to convey the Waters thereof by convenient out-falls to the Sea. They that cut or throw down any of the said Works shall answer treble damages to the Corporation and Costs of Suit in an Action of Trespass: and such acting, if maliciously done, shall be punished as for cutting the *Powder* in *Marsh-land*.

XIII. The Governor before he take upon him that Office, shall take an Oath before any of the Bayliffs, that he will well and truly execute it. The Bayliffs, Conservators and other Officers shall take the like Oath for the true executing their respective Offices before the Governor, Bayliffs and Conservators or any two of them.

XIV. The Governor, Bayliffs, Conservators and Commonalty on *Wednesday* in *Whitsun-week* yearly, shall by the greater number then present, whereof the said Governor or one of the Bayliffs to be one, elect a new Governor, Bayliffs and Conservators. There shall be Governor or a Bayliff that hath not four hundred Acres nor a Conservator that hath not two hundred Acres, nor any of the Commonalty to have a Voice in Elections, that hath not a hundred Acres of the said 95000 Acres. The Governor, Bayliffs and Conservators or any of them may be removed by the greater number present at their publick Meetings, (whereof the Governor

and or one of the Bailiffs to be one) and new chosen in their Place. In this commenced against the Corporation or others, for any thing done in pursuance of this Act, they may plead the General Issue, and give the special matter in Evidence.

XV. The Governor, Bailiffs and Commonalty of the said Company of Conservators, &c. shall stand seized of all the Shares and Proportions of the said 95000 Acres, which in pursuance of an Indenture of fourteen parts, bearing date the 27th day of February, in the seventh Year of King Charles the First, and by virtue of a Law of Sewers made at Kings-Lyn in the sixth Year of the Reign of the said King, do belong to Samuel Sandys the elder, or his Trustees, Sir William Terringham, Sir Richard Onslow, and other the Assigns and Trustees of Henry late Earl of Arundel and Surrey, Arthur Earl of Norfolk, Thomas Lord Culpeper, Robert Philips, Robert Seawen, and other the Participants of Francis Earl of Bedford, and Parties to the said Indenture, their Heirs, Executors, &c. which are now enjoyed by seven persons claiming under a pretended Act of Parliament of the 29th of May 1649. in which certain persons were mentioned to have authority to sell the Shares of such Adventurers and Participants of the said Earl Francis, &c. as should refuse to pay such Taxes by colour of the said pretended Act should be imposed on them; in Trust nevertheless for the said Samuel Sandys the Elder, or his Trustees in Trust for him, Sir William Terringham, &c. as heretofore in or about October in the thirteenth Year of King Charles the First, were allotted for the Shares of such of the Adventurers, and Participants of the said Earl, and the Parties to the said Indenture, &c. under whom the said Samuel Sandys the Elder, &c. and other the Participants of the said Earl, &c. now out of possession, derive their Shares: and the said Corporation are hereby required to execute respective Estates of the said Shares, subject nevertheless to all Taxes, &c. to be imposed by virtue of this Act.

XVI. The Chief Justice of the Kings-Bench, the Chief Justice of the Common-Pleas, the Chief Baron of the Exchequer, and the Justices of the Court of Common-Pleas, or any two of them, are hereby constituted Commissioners to decree and determine upon Bills and Answers, or otherwise as they shall think fit, between the persons now in possession of the said Shares, and the said Samuel Sandys the Elder and his Trustees, Sir William Terringham, &c. now out of possession, and may decree such an Allowance as they see fit; which Commissioners shall have such authority as the High Court of Chancery: and may order and decree upon what Persons or Lands the Sums in arrear for Taxes imposed since the 29th of May 1649, upon several parts of the said 95000 Acres, sub-joined by this Act to the said Judicature, and for Penalties incurred for non-payment thereof, shall be charged, which Taxes and Penalties shall be Levied according to the Order and Decree of the said Commissioners.

XVII. Ninety five Acres in *Ravely* and *upwood*, *for* *Sothery*, fourty four Acres and one Rod in *Wicken*, eight in *Cowfen*, two hundred eighty two in *Beerling*, and thirty seven in *upwell*, set out to be enjoyed as part of the said 95000 Acres, in like of like Proportions restored to the Countrey, shall be enjoyed by the said Corporation, subject nevertheless to the Trust in and by this Act declared.

XVIII. If the said Earl of *Bedford* and his Participants, or the said Corporation, have done, or shall do any Act or Acts to the prejudice of Navigation, if it be consisting with the Draining whereby such Drove-ways or Bridges as have been made by the Adventurers, and by them maintained, unless there be some agreement to the contrary, shall be obstructed, then the Commissioners constituted by this Act for the several purposes therein mentioned, or any seven of them, whereof the Vice-Chancellor for the University of *Cambridge*, the Mayor of the Town of *Cambridge*, and the Mayor of the Town of *Kings-Lyn*, to be three, if upon notice left at their respective Habitations they shall think fit to be present, may decree the same to be amended at the Charges of the said Corporation: and in default thereof, by Warrant under their Hands and Seals may Tax the said Ninety five thousand Acres for preserving Navigation; the sum Taxed to be paid within twenty days after notice thereof given to the Governor or Treasurer of the said Corporation, to such persons as the Commissioners shall appoint to receive them: which persons the Commissioners may empower in default of payment by the said Corporation, to Levy the same by Distress upon the said Ninety five thousand Acres, and by sale of Goods.

XIX. And in case the quantity of eight thousand Acres lying together, or near together, shall continue drowned twelve months together, the said Commissioners, or any seven of them, may Assess sums of Money upon the said Ninety five thousand Acres for Draining the same, together with a Penalty for non-payment not exceeding a third part of the Tax; and the Share of such Participant as shall be in arrear for the said Tax or Penalty by the space of two months, shall be sequestred for the payment thereof, by Writing under the Hands and Seals of the said Commissioners, or seven of them.

XX. If the said Corporation refuse to pay such Taxes and Penalties as shall be imposed by the said Commissioners, whereupon the Goods of any person shall be Distrained, or their Lands sequestred, or that such persons shall pay the same; then the said Governor, Bailiffs and Corporation, upon notice thereof shall Assess the whole Ninety five thousand Acres for payment thereof, and all Damages which such persons shall have sustained: in default whereof six months after demand, such persons may bring their Actions of Debt in any of the Kings Courts at *Westminster*, and shall recover the same, and Costs of Suit.

XXI. The

XXI. The said Commissioners, or seven of them, for the better Execution of the Powers hereby given, may examine Witnesses upon Oath.

XXII. Before they take upon them the Execution of any Authorities hereby given them, other than the Administring the Oath following to one another, they shall take this Oath, *viz.*

I A. B. Shall and will without favour or affection, hatred or malice, truly and impartially, according to the best of my skill and knowledge, execute and perform all and every the Powers and Authorities established by this Act of Parliament. Which Oath any of the said Commissioners may Administer.

XXIII. All Judgments and Decrees, and other Acts done by the said Commissioners, or seven of them, pursuant to the Authority by this Act given, shall be final.

XXIV. The said Commissioners shall sit from the 29th day of September to the 26th of March in every Year, at *Huntington*: and from the 25th of March till the 30th of September, at *Ely*: unless they, or seven of them, shall appoint some other Place being a Market-Town. They shall declare the Places and Times of their Meeting by Warrant under their Hands and Seals, which shall be published in the open Market of the Place where they last sat, between the hours of Twelve and Two, one month before their Meeting, and by Warrant may summon Parties and Witnesses.

XXV. None of the said Commissioners shall Vote in any matter which concerns the Bounds of the County for which he is a Commissioner.

XXVI. No person having any Interest in Lands within the Level, shall be a Commissioner.

XXVII. The said Commissioners may make satisfaction out of the said Ninety five thousand Acres, to such whose Lands shall be made waste by any new Works to be made by the said Corporation, than they were in the sixth Year of King *Charles the First*.

XXVIII. Lords of Mannors, and all that have Rights of Common in Wastes within the said Level, and other Places to which the Works aforesaid extend, may inclose the same; all Differences that shall arise concerning the Boundaries thereof, shall be determined by the said Commissioners upon their view or examination of Witnesses upon Oath; which Determination being certified into the Petty Bag, there to be Filed and kept upon Record, shall be final.

XXIX. Archbishops, Bishops, Deans and Chapters, and Colleges and Halls in either University, and all Bodies Politick, having such Right of Common, may Demise by Indenture their respective Proportions, which have not by express Words, and under any particular Rent been formerly Demised, for any Term not exceeding twenty

twenty one years, so as upon every such Demise the fourth part of the true yearly value to be ascertained by the Commissioners, seven of them, be reserved.

XXX. Nothing in this Act shall extend to alter the Possession of *Thomas Chicheley Esq;* from Six hundred seventy one Acres, parcel of the Lot claimed to belong to the Trustees of *Henry late Earl of Arundel and Surry*, and Two hundred thirty one Acres, parcel of the Lot of *Sir William Terringham*.

XXXI. Rights to Waifs, Strays, Felons Goods, Privileges of Arrests, Escheats and other Royalties not prejudicial to the Draining, are saved.

XXXII. This Act shall not infringe or weaken an Act made in the fourth year of King *James*, *Cap. 13.* for Draining certain low and low Grounds in the Isle of *Ely*.

XXXIII. The said Commissioners, upon Complaint by the Owners of Lands near adjoyning to the said great Level, that their Lands have been cut through without making satisfaction, may deliver them such Recompence as they judge reasonable, the said Recompence to be made within six months after such Decree made in default whereof, the said Commissioners or any seven of them may Tax the said Ninety five thousand Acres, and Distrain thereupon, and sell the Distress.

XXXIV. If the Judicature hereby Established shall not within twelve months from the first of *August* next determine the said matters to them referred, the Barons of the Exchequer shall determine the same.

XXXV. Whereas twelve thousand Acres, parcel of the said Ninety five thousand, were allotted to his late Majesty, who granted two thousand Acres thereof to *Jerom Earl of Portland*; the King's Lessees of the remaining ten thousand Acres may be chosen into the Places of Governor, Bailiffs and Conservators aforesaid, &c. so as they have double the quantity of Acres, parcel of the said ten thousand Acres, as by this Act is required, to qualifie persons to be chosen into the said Offices.

XXXVI. No other Charge shall be laid upon the said Corporation in respect of Breaches by inevitable Accidents, than to repair the same. Nor shall the said Corporation be enforced to give Recompence for any Loss sustained by reason of their making necessary and sufficient Banks for defending the said Level, and leading the Waters thereof in their Channels as now they run unto the Sea.

XXXVII. No ascertaining or dividing the said drained or improved Lands by the said Commissioners, shall conclude the said Ring or any other as to the Bounds of Parishes, to any other purpose than subjecting the same to Taxes and Contributions, and to the Episcopal Jurisdiction.

XXV. All persons that shall be convicted by two Witnesses before two Justices of Peace of breaking down, or any way hindring or laying open the said Inclosures, shall forfeit to be Levied by Distress and Sale of Goods by Warrant under Hand and Seal of such Justices: one moiety whereof shall be to the Informer; the other to the person against whom the Offence shall be committed; and for want of a sufficient Distress, the Offender shall be committed to the House of Correction or common Gaol three months.

XXVI. After the 1st of August 1668, no Tax exceeding two Shillings the Acre in any one year shall be laid upon the said ten thousand Acres by this Act vested in the King, or upon the two thousand Acres vested in the Assigns of the Earl of Portland: and the Taxes to be Assessed upon the other eighty three thousand Acres, shall not amount to so much in proportion, a proper statement shall be made out of the said 2 s. per Acre, which shall be charged yearly on the said ten thousand, and two thousand Acres.

XXVII. The laying of Taxes on the said ten thousand Acres, or on the two thousand Acres after the 1st of August 1668, by way of an Acre-Tax, shall not be construed to extend to compel the said Corporation to Levy any Tax on the other eighty three thousand Acres by way of an Acre-Tax.

XXVIII. Stat. 16 & 17 Car. 2. cap. 11. The several Decrees made at a Session of Sewers holden at Bourn in Lincolnshire the 20th of April Anno 41 Eliz. and at a Session held at Market-Draping on the 10th of September in the same Year, and at another held likewise at Market-Draping on the 20th of August 42 Eliz. and an Act of Parliament 1 Jac. Entituled, *An Act for Relief of Thomas Lovel Esq;* and every Clause therein, other than such as are hereafter confirmed, are hereby Repealed.

XXIX. Edward Earl of Manchester, William Earl of Devonshire, John Lord Berkeley of Stratton, Aeneas Grey Esq; Henry Grey Esq; and their Heirs and Assigns, and the Survivor of them, declared Undertakers for Draining Deeping, Pinchbeck, Thurlby, Bourn and Croyland Fens, in Trust for such persons, and to such intents and purposes as are herein after mentioned. Within seven years next ensuing they, &c. shall recover and make dry the said Fens, except two hundred or three hundred Acres in Deeping Fen, and about four hundred Acres in Thurlby and Bourn Fens, which are to be left for Lakes for the receipt of Waters: and extend to such Drains as are or shall be for Draining, and so much Ground which or shall lie between the Rivers, Drains, &c. and their Banks: and shall forever at their own Costs, not onely repair and keep the same encompassing the said Fens, but also the Bank on the East-side of the welland, from Brother-house to Spalding High-Bridge; and the Bank from the North-side of the Glean from Gutheram-Coat to Doveburn;

Doveburn; but shall for ever keep the said Rivers with fishing, Roading, Scouring and Banking, viz. the *Welland* from the *Out-gang* at the East-end of *East-Deeping*, unto the *Out-fall* into the *Sea*, without diverting the Course thereof as it now passeth from the Corner of *Deeping Fen* to the *Sea*, or of the *Gleaze* as it passeth from *Doveburn* to the *Sea*.

XLIII. The said Trustees, &c. shall set down and maintain convenient Bridges with Gates, in wideness not exceeding twelve Feet, Railed or Walled against the Sides, for passage into the *Fens* in such Places as shall be ordered by any six Commissioners of Sewers for the County of *Lincoln* in their open Sessions.

XLIV. The said Trustees, &c. may at pleasure desert, or renew and enlarge such Drains as now are, and make new ones, making satisfaction to any suffering Damage by the Water flowing through the Banks thereof, as shall be Awarded by the said Commissioners or any six of them in open Sessions: the Inhabitants of *Spalding* and *Pinchbeck* to have liberty to set down and stop Sluces, Tunnels and Gages of Water and Locks as are or shall be upon the said Rivers and Drains, except the *Welland*, *Gleaze* and *Westlode*, at such times as two Commissioners of Sewers in Parts of *Holland* shall judge necessary for Draining their In-Grounds, the same not exceeding two months in the Year. And if the Banks break or be overflown, whereby the Waters fall into Lands in the Wapentake of *Ellor*, the Dyke-Reeves, Officers or other Inhabitants there, may set down the Slough of such Banks or otherwise stop the same, till the Banks be repaired and mended.

XLV. If any Gool, Breach or Overflowing shall happen in, or through any of the said Banks, other than the Bank called *Dorens*, and *Haw-thorn Bank*, and be not amended within ten Days by the Dyke-Reeves or Surveyers of Sewers in *Spalding* or *Pinchbeck* or other the Towns in the Wapentake of *Ness* or *Ellor*, may stop the same at the Costs of the Trustees, &c. the Money expended to be repaid upon a Note delivered in Writing to them, &c. by the Tenant, Servants, &c. or any of them, under the Hands of the Commissioners of Sewers, whereof one to be of the *Quorum*; and if the said Trustees, &c. shall refuse to pay, the said Officers or Persons, &c. may enter into the third part of the said *Fens*, or five thousand Acres additional Recompence herein after given, and Distrain upon them, &c. their Tenants, Farmers, &c. after ten Days to sell the Distress, rendring the overplus to the Owner.

XLVI. The Dyke-Reeves and Surveyers of Sewers in *Pinchbeck* and *Spalding* or any the Towns in the Wapentake of *Ness* or *Ellor* may repair at the Costs of the said Trustees, &c. to be Levied in manner aforesaid, all such Breaches, Gools and overflowing Waters as shall happen in, over, or through the Bank called the *Doveburn*, the *Haw-thorn Bank*, the East-Bank, the Bank on the North-

...or any other Bank without the said Fens, made or to be made, or to the Draining of them.

VII. The said Trustees, &c. shall make satisfaction for Damage sustained by their own negligence in not sufficiently maintaining or cleansing any Rivers, Banks or Drains, or by any incon- siderable placing, setting or making any Drain, Gate, or Sluce, as the Commissioners of Sewers for the part of *Holland*, whereof three of the *Quorum*, shall appoint, (if not otherwise satisfied by the said Adventurers) which if they neglect to pay by the space of twenty days after demand made to them, their Agents or Tenants, or the persons sustaining such Damage, may enter and dig as aforesaid. The said Trustees, &c. for the enlargement of old Drains, or Banks, or making new ones, may cut or cover any Soil of any person, agreeing with the Owner, or paying the value before such Soil be cut or covered such value for the same as shall be set down by six Commissioners of Sewers, whereof three to be of the *Quorum*.

VIII. The Trustees, &c. may pull up any Bridges over the *Glean*, *Wistload*, the Rivers of *Wistload*, or *Starfengrass*, *Vernars*, or any other Drain that is or shall be, that may hinder the passage of the said Rivers, and all Weirs and Purprestures: Provided they forthwith replace again at their own charges the High-Bridge over *Spalding* River of Lime and Stone, and all other Bridges of such Materials as were. The ancient Bridges and Tunnels to be maintained ever at the charges of the said Trustees, &c. If the said Bridges shall not be made or repaired by the said Trustees, &c. in any year, the Commissioners of Sewers may decree what sum of Money will be necessary for effecting the same, and upon receipt of payment thirty days after notice thereof by a Note under the hand of their Clerk, may Levy the same by Distress (and Sale of Goods) upon any Lands hereby vested in the said Trustees. If the High-Bridge over *Spalding* River be not finished before the first of *March* 1670, the said Trustees, &c. shall forfeit 150 *l* to the said Commissioners, &c. to be raised by the Commissioners of Sewers, one of part of the third part of the said Fens, or of the said three hundred and five hundred Acres therein mentioned.

IX. The Trustees, &c. may cut the Ground lying between the said Owing Banks and the said Rivers, to take Earth, Manure and other things for repairing the Banks, as need shall require, (such cutting to be above sixscore Foot distant from the Banks) and may also set and keep such Bars and Slakers, and in such places as they shall see fit, to take off the surplusage of Waters, and hinder the passage of Cattel over the Banks in the times hereafter prohibited, except as hereafter is excepted) shall between *Michaelmas* and the first of *May* in any year drive any Cattel upon the said Banks, without paying to the Trustees, &c. 4 *d*. for every score of Sheep, and for every other Beast 4 *d*.

L. The

L. The Lords, Owners and Commoners in the Fens shall do nothing, unless they Trade that way to *London* with their own feeding a month before.

LI. No person keeping a Horse-Bout at *Cropland*, *the Bishop's Baston*, *Eftwat*, *Pinchbeck*, *Spalding*, or *Cowbit*, shall lead any Horsemen or Cattel upon the said Banks between the said Banks, but at *Waldromhill*, *Baston*, *Spout*, *Cowburn*, &c. without Licence from the Trustees, &c. on pain to the owner of every Horse an Neat Beast, 6 *d.* and for every score of Sheep, 10 *s.* to the Trustees, &c. nor shall any persons draw any Boat on any Bank in, or compassing the said Fens, but in places thereunto appointed.

LII. No Swine shall be put upon the Fens but where other Cattel are put in, and shall be Ringed, on pain to forfeit for every Unringed, 2 *d.* to the Trustees, &c. to be Levied by District.

LIII. The said Trustees, &c. their Tenants, &c. shall not demand or claim any Common of Pasture in any part of the manors of the Fens, nor in the North-Fen of *Pinchbeck* and *Spalding*, by virtue of their residence there: Nor shall the Inhabitants of the third part, or any part of the said five thousand Acres, become chargeable to the Parishes wherein they dwell, but shall be maintained by the said Trustees, &c.

LIV. No Water (otherwise than necessary for Household use, as is by some Law of Sewers already settled) shall be let out of the *Glean* or *Welland*, or any other the said Drains, without Licence of the Trustees, &c. or by Order of six Commissioners of Sewers: the Cuts to be made up again at their charge for whose benefit they were made, and if any Abuse happen to be therein, the Trustees, &c. may stop the same.

LV. The Inhabitants of *Pinchbeck* and *Spalding* shall have use of a Sluice called *Wem-gate*, and the Drain leading to it, &c. the Trustees, &c. be at no charge for maintaining it.

LVI. The Drain under the *Doxens* from *Boston* Bank to *the Sea* shall be Dirched two hundred Foot more inward than now is, and the Earth laid on that side of the Bank next *Pinchbeck*.

LVII. The said Trustees shall enjoy to them, their Heirs and Assigns, the third part of the said Fens formerly assigned to the *Loosh*, and three thousand five hundred Acres allotted to the Cree of Sewers made at *Spalding*, and a thousand Acres more of that part of the Fens formerly taken in for the Queen's Improvement, and five hundred Acres more to be taken proportionally out of the residue of the Fens in *Kesteven* and *Holland*, adjoining to the said three thousand five hundred Acres; the said thousand Acres to be measured by Statute-measure by two Assessors at the charge of the Trustees, one to be chosen by the Commissioners of Sewers for *Kesteven* and *Holland*, and one by the said Trustees: but upon these Trusts, viz. that they shall grant the same

...for Acres mentioned in a Schedule annexed to an
...of several parts, dated the 2d of August 1650, made be-
...Countess Dowager of *Exeter* and others, and two
...to be set out within six months, to such Persons, and
...*Estates*, and in such manner as *Thomas* Earl of *Bucks*, the
...*Lord Audover*, Lord *Arundell*, and *John* Lord *Berkley* of *Stratton* shall
...: for the residue of the said Fens by this Act allotted
...Second Chce for Draining, in Trust for the said Earl of *Bucks*
...*Elizabeth* his Wife, the said Lord *Audover*, the Earl of *Elgin*,
...*Council* of *Stratford*, Lord *Grey*, and such others to whom *Estates*
...limited under *William* late Earl of *Exeter* and *Elizabeth* his Wife,
...either of them. If the Commissioners shall not nominate a Sur-
...within three months after nomination by the Trustees, the
...Trustees may proceed by their own Artist.

VIII. The Trustees, &c. shall sufficiently Fence and Inclose all
...Lands by this Act to them granted: nor shall they Distrain any
...entering for default of such Inclosure: and if any Action be
...for the same, the Defendant may Plead the General Issue,
...give this Act in Evidence: the two Drive-ways from *Kesteven*
...*Holland* shall be continued open, and the Banks or Drains to be
...or continued, shall not hinder the Land-Waters falling from
...into the said Fen.

IX. This Act shall not charge the Persons of the Trustees, &c.
...their *Estates*, Real or Personal, other than their *Estates* of and
...the said Fens.

X. If the Trustees, &c. shall not finish the Draining of the said
...within seven years, or shall not afterward keep and maintain
...fine dry and depasturable for Cattel, but shall suffer the same or
...part thereof to be overflowed five years, and that found to be
...through their default, by the greater number of twelve Commis-
...of Sewers, whereof six to be of the Parts of *Holland*, and six
...of *Kesteven*, upon their own View, or Presentment of Jury, and cer-
...into Chancery; from thenceforth the Trusts aforesaid, and all
...by them executed, shall be void, and the said Trustees, &c.
...shall be seized of the said third part, and the said additional Allo-
...in Trust, to suffer the said Commissioners of Sewers of *Kesteven*
...and *Holland*, to receive the whole Rents, Issues and Profits, to be
...for regaining the Fens, and doing such Works as the
...Trustees ought to have done, and in Trust to execute such *Estates*
...in twelve Commissioners of Sewers of *Holland* and *Kesteven*, three
...of each to be of the *Quorum*, shall appoint.

XI. If the Trustees, &c. shall not at or before the end of seven
...pay a hundred pound to such persons as the said Commission-
...of seven from time to time shall appoint, the said Commission-
...may authorize any persons to enter into the said third part,
...and additional Lands, and out of the Profits thereof to raise the
...for regaining of the *South-Doxens* and *Haw-thorn* Bank, and so
...from

from time to time as the said sum or any part thereof shall be expended, if not supplied within six months after.

LXII. The Assessors of the said one thousand thirty six Acres of any part thereof, as Adventurers under the said Trustees, shall hold Meetings of themselves, their Agents and Workmen for making By-Laws for the more orderly management of the said Works of Draining within themselves respectively: and they, or any three or more of them, may charge the Owners of the said one thousand thirty six Acres by an Acre-Tax, (every of them so Charging and Assessing to be really then Owner of two hundred fifty Acres or more within the said Fen) and upon default of payment by the space of three months after the time limited, may sell so much of the Defaulters Land within the Fen, as to them or three of them shall seem fit, subject to such Conditions and Forfeitures as are in this Act express: such Conveyance to be Entrolled in Chancery within six months after the making thereof.

LXIII. Owners of the Soil of the said Fens, or Commons there, may inclose and sever such quantities of the same, (other than such parts as are allotted to the Undertakers) as shall be proportionable to their Interests, and hold the same in severalty, but subject to the Powers given by this Act to the Trustees. The Boundaries of the Wastes so to be inclosed to be set from time to time upon request of any persons concerned by the persons hereafter named, viz. Thomas Lord Beaumont, &c. (see their Names in the Act at large) or any seven of them, upon their View or Examination of Witnesses upon Oath or other Proof; which Determination being certified into the Petty-Bag, shall conclude all Parties. Persons aggrieved may within six months after appeal to any thirteen or more other persons of the said Judicature, whose Determination shall be final. The said Commissioners before they execute the Powers hereby given, other than the Administring this Oath to one another, shall take this Oath, viz.

I A. B. am not interested in Possession, Reversion or Remainder of, in, or to the said Fens, or any part thereof, and shall and will without favour or affection, hatred or malice, truly and impartially, according to the best of my skill and knowledge, execute and perform all and every the Powers and Authorities in me established by this Act of Parliament.

LXIV. The said Commissioners shall sit at Stamford, Market-Draping, or Spalding, they or seven of them shall declare the Places and Times of their Meeting by Warrant to be published in open Market of the said Towns between the Hours of Twelve and Two. Twenty one days at least before the Times of Meeting: and by Warrant from three of them may summon Parties and Witnesses to appear, and if any Controversie or Difference shall arise among them

concerning

the Exposition of this Act, the two Chief Justices and two other Justices, or two of them, may determine the same: their Judgment shall be certified together with the Determinations of the Commissioners into the Petty-Bag.

Stat. 20 Car. 2. cap. 8. All Taxes imposed for the maintenance of the great Level of the Fens, called *Bedford-Level*, shall be levied by the Governors, Bailiffs and Conservators or five of them, whereof the Governor and Bailiffs, or any of them, to be chosen upon the said eighty three thousand Acres, by a gradual Acre-Tax of different sorts and values of Land.

LXVI. So often as a Tax of Six thousand one hundred and ten pound seven shillings and one penny half-penny shall be Assessed upon the ninety five thousand Acres, then the twelve thousand Acres shall be rated at Fifteen pence the Acre, and so proportionally for the raising of greater or lesser sums. No Taxes by virtue of this Act shall be imposed but upon *wednesday*, *Thursday* and *Friday* next after the first *Sunday* in *April*, or some one of them.

LXVII. Sales for non-payment of Taxes appointed by the Act of 16 Car. 2. cap. 17. to be made at *Ely* upon *wednesday* and *Thursday* heretofore yearly, shall be upon the said *wednesday*, *Thursday* or *Friday* after the first *Sunday* in *April* yearly. The Serjeant at Mace of the said Great Level shall by Precept under the Corporation-Seal deliver Possession to such Purchasers.

LXVIII. Surveyers appointed to digest the said eighty three thousand Acres into sorts and degrees of Land not under the number of seven, and to make returns thereof into the Fen-Office, for the more equally rating them by a gradual Acre-Tax.

Masons.

I. Stat. 3 H. 6. It shall be Felony to plot Confederacies amongst Masons; and such as assemble upon such Confederacies shall suffer Imprisonment, and make Fine and Ransom at the Kings will.

Matrimony and Marriage.

I. Stat. 32 H. 8. 38. *pars inde*. All Marriages shall be adjudged void that are not prohibited by Gods Law.

II. Stat. 2 & 3 E. 6. 21. All Laws, Canons, Constitutions and Statutes which prohibit Marriage to Spiritual Persons, who by the Law may Marry, and all Pains and Forfeitures therein contained, shall be void.

III. Provided, That this Act shall not give liberty to Marry without being in the Church, and other Ceremonies appointed by the Book of Common-Prayer.

IV. Degrees and Divorces heretofore made, are saved.

B b

V. Stat.

V. Stat. 5 Eliz. 6. 12. The Marriage of Priests and other ritual Persons shall be lawful, and their Children Legitimate and heritable; likewise they to be Tenants by the Courtse, and their Wives Dowable.

VI. Stat. 1 Jac. 11. A Bigamio shall suffer death as a Felon, unless he or she have had no notice that the Husband or Wife was living within seven years before, or the Marriage be severed by Divorce.

VII. This Felony shall cause no corruption of Blood, or loss of Dower or Inheritance.

VIII. Stat. 12 Car. 2. cap. 33. All Marriages solemnized in any the Kings Dominions since the first of May 1642. before any Justice of Peace, or so reputed, or according to any Ordinance or reputed Ordinance of both or either Houses of Parliament, or of any Convention sitting at Westminster under the Name of a Parliament, shall be of Effect as if solemnized according to the Rites used in the Church of England: and Issue upon Bastardy, or unlawfulness of Marriage, concerning such Marriages, shall be Tried by Jury. Confirmed 13 Car. 2. cap. 11.

Mesne.

I. Stat. westm. 2. 9. 13 E. 1. The Tenant Distrained by the chief Lord, may have a Writ of Mesne in the County where he is Distrained, against the Mesne, who having Land in that County, and not appearing till the Grand Distress, Day shall be given in the Grand Distress, so as two Counties may be holden before the Return, wherein the Sheriff shall proclaim that he come to answer the Tenant at the Day; at which Day if he come not, he loseth his Service, and then the Tenant shall answer to the chief Lord such Service as he ought to have done to the Mesne.

II. The chief Lord shall not Distrain the Tenant so long as he offers him the Services due; and if the Lord exact more than the Mesne ought to do, the Tenant may have such Remedy as the Mesne might have had.

III. Upon a Return that the Mesne hath nothing to be summoned by, an Attachment shall go out; and upon a Nihil returned, the Grand Distress with Proclamation as before.

IV. The Mesne having no Land in that County, but in another, upon such a Return by the Sheriff, the Party shall have a Writ Judicial to summon the Mesne in that County where it is settled that he hath Lands; and both there and in the other County shall proceed to the Grand Distress, Proclamation and Judgment, as before.

V. The Mesne coming into the Court, and acknowledging, being adjudged to acquit the Tenant, and not doing it, the Tenant shall thereupon have a Judicial Writ of Acquittal: where

the Mesne come in, and the Tenant can aver that the Mesne
acquitted him, he shall be satisfied his Damages, be quit of
the Mesne, and hold of the chief Lord. And here also, if the
Mesne come not at the first Distress, then another Distress shall go
out, Proclamation shall be made, and Judgment had as before.

VI. This Statute extendeth onely where there is but one Mesne
between the Lord that Distraineth and the Tenant, the Mesne also
being of full age, and the Tenant Tenant in Fee-simple.

Millitia.

I. Stat. 13 Car. 2. cap. 6. Forasmuch as the Supream Govern-
ment of the Millitia, all Forces by Sea and Land, Forts and Pla-
ces of Strength is, and ever was the Kings undoubted Right, and
that both or either of the Houses of Parliament cannot pretend to
the same, nor may Levy War Offensive or Defensive against the
King, and whereas an Act is under Consideration for Exercising the
Millitia with safety and ease to the King and People; the Millitia
and Land-Forces shall be managed till the 25th of March next en-
suing as now they are, according to such Instructions as they shall
receive from the King.

II. Stat. 13 & 14 Car. 2. cap. 3. The King, his Heirs and
Successors may from time to time issue Commissions of Lieute-
nancy for the severall Counties, Cities and Places of *England, Wales*
and Town of *Berwick*; which Lieutenants may call together such
Persons, at such Times, and Arm and Array them in such manner
as follows, and form them into Companies, &c. and conduct and
employ them within the Places for which they shall be Commis-
sioned, and other the Places aforesaid, to suppress Insurrections, or
repell Invasions, as the King shall direct. The said Commissioners
may give Commissions to Colonels, Majors, Captains and other
Commission-Officers, and Present to the King the Names of such as
they think fit to be Deputy-Lieutenants, and upon his approbation
shall give them Deputations; yet the King may order otherwise,
and at pleasure Commissionate or Displace such Officers: and the
said Lieutenants, and in their absence, or otherwise by their Di-
rection, the Deputy-Lieutenants, or any two or more of them,
may Exercise and Conduct the persons so to be Armed, &c. as is
hereafter expressed.

III. The Lieutenants or Deputies, or major part of them then
present, or in absence of the Lieutenants, the major part of the
Deputy-Lieutenants then present, which shall be three at the least,
may charge any where their Estates lie, with Horse, Horseman and
Arm, that have 500 *l. per annum* in Possession, or 6000 *l.* in Goods
or Money, beside Furniture of their Houses, and so proportionably :
and any with a Foot-Souldier and Arms that have 50 *l. per annum*
in Possession, or 600 *l.* in Goods and Money, other than Stock on
the

the Ground, and so proportionably ; they shall charge both Horse and Foot in the same County.

IV. None shall be chargeable with or towards a Horseman or Foot-Soldier too for the same Estate : several persons may be joyned together in the charge of finding a Horse, Horseman, or Arms.

V. None having under 100 *l. per annum* in possession of any Estate, or under 1200 *l.* personal Estate, shall contribute in finding any Horse : the said Lieutenants and Deputies, or any three of them, may hear Complaints, examine Witnesses upon Oath, and give redress in matters relating to the Execution of this Act ; and shall require allowance of 2 *s. per diem* to Troopers, and 12 *l.* a year for the Foot-Soldiers (if the Persons charged serve not in Person) for so many days as they are absent from their Dwellings : and may lay Rates for Ammunition and other Necessaries, not exceeding in a year a fourth part of one months Assessment in each County, after the rate of 70000 *l. per mensem* lately charged by an Act, entitled, *An Act for raising Seventy thousand Pound for a further Supply to his Majesty* ; to be paid according to their Directions, under such Penalties, and by such Means as are prescribed in the said Act.

VI. And in case of Insurrection or Invasion, the persons charged shall provide their Soldiers with Pay in hand not exceeding one months Pay, as shall be directed by the Lieutenants, and in their absence or otherwise, by their direction by their Deputies, or any two or more ; for repayment of which, and for satisfaction of the Officers, for such time not exceeding one month, as they shall be in actual Service, provision shall be made by the King out of the Publick Treasury. None that have advanced a months Pay, shall be charged with any other months Payment till they are reimbursed.

VII. The Lieutenants and their Deputies or chief Officers upon the Place, may charge Carriages and Horses to carry Powder and other Materials at 6 *d.* a Mile outward, for every Carriage with five Horses and six Oxen, and so ratably ; and for every horse 1 *d.* upon Marching of any Company on occasion of Insurrection or Invasion : and may Imprison Mutineers and Soldiers not doing their Duties at Musters and Trainings : and inflict Mults not exceeding 5 *s.* or Imprisonment not exceeding twenty days for every Offence.

VIII. If any charged neglect to provide, or to pay such sum as aforesaid, the Lieutenants and their Deputies, or three of them, may inflict a Penalty not exceeding 20 *l.* and by Warrant under their Seal Levy such sums, or the value of such Horses, Arms, Furniture, and Penalty inflicted by Distress and Sale of Goods : to be employed to the uses in default whereof it was imposed.

It may so to be Armed, detain or imbezzele his Horse or Furniture wherewith he is intrusted, the Lieutenants, and in their absence, &c. may Imprison till satisfaction: and if such persons be not compleatly Armed upon Summons, through their own default, may Imprison them five days, or inflict a Penalty, if a Horseman, not exceeding Twenty shillings, and if a Footman, not exceeding Ten shillings, to be paid without delay; and if any so charged neglect to send in his Horse, &c. upon Summons, they may inflict a Penalty not exceeding Five pound, to be Levied by Distress and Sale of Goods.

X. The Lieutenants and their Deputies, or three, &c. may examine upon Oath touching the ability of persons to be charged, such as they think convenient, other than the persons themselves.

XI. The Lieutenants shall appoint for receiving and paying Moneys, Treasurers and Clerks, who shall every six months give their Accounts in Writing upon Oath to the Lieutenants, &c. which shall be certified to the Lords of the Privy-Council, and a Duplicate thereof to the Justices of Peace, at the next Quarter-Sessions.

XII. The Deputy-Lieutenants shall observe the Directions of the respective Lieutenants: the Lieutenants, or two or more of their Deputies, may by Warrant employ persons (of which a Commissioned-Officer, and a Constable or his Deputy, or the Tything-man, or in their absence some other Officer of the Parish, shall be two) to search for and seize Arms in the custody of such as the said Lieutenants, or any two of their Deputies judge dangerous, and secure them for the Service aforesaid, and give account thereof to the Lieutenants, &c. No search to be made between Sun-setting and Sun-rising, other than in Cities and their Suburbs, Towns-Corporate, Market-Towns, and Houses within the Bills of Mortality, if the Warrant so directs. No Dwelling-house of a Peer shall be entered but by Warrant from the King under the Sign-Manual, or in the presence of the Lieutenant or one Deputy-Lieutenant: in case of resistance it shall be lawful to enter with force; the Arms seized may be restored, if the Lieutenants, their Deputies, or two, &c. think fit.

XIII. High-Constables, Petty-Constables, and other Officers, shall be assisting in execution of the Premises.

XIV. If any persons charged, reside not in the County, the Lieutenants and Deputies, or three, &c. shall send notice to his Lordship that manageth his Land; or if all be Let, to one or two of his most sufficient Tenants, who are to convey it to their Master or Lordship, and within the time appointed bring his answer to the Lieutenants and Deputies, or three, &c. and upon his neglect shall be liable as he ought to have done; else the Lieutenants, and in their absence, &c. by Warrant under their Hands and Seals, may levy by Distress and Sale of Goods, the Penalties appointed by this

Act; which such Tenants may defalk out of their next Rent, unless the Landlord within two months after such Levying, shall appear to the Lieutenants, and in their Absence, &c. that the default was occasioned by neglect of the Tenant.

XV. No Peer shall serve as Lieutenant or Deputy-Lieutenant, unless he shall first before six Lords of the Privy-Council, or others authorized by the King thereunto, take the Oaths of Allegiance and Supremacy, and this Oath;

I A. B. Do declare and believe, that it is not lawful upon any pretence whatsoever, to take Arms against the King; and that I do abhor that traitterous Position, That Arms may be taken by any Person against his Person, or against those that are Commissioned by the King in pursuance of such Military Commissions. So help me God.

And no other Person shall act as Lieutenant, Deputy-Lieutenant, Officer or Soldier by virtue of this Act, that shall not first take the said Oaths before any Justice of Peace of the respective County, but Lieutenants also may Administer the said Oaths to the Deputy-Lieutenants, not being Peers; and they, or in their Absence, &c. to the said Officers and Soldiers.

XVI. General Musters shall be but once, and Training of such Companies not above four times in a year, unless special Order shall be from the King or Privy-Council: Single Companies shall not be continued in Exercise above two days: At general Musters shall be constrained to stay above four days from their Habitations. Every Musqueteer shall bring half a pound, and every Horseman quarter of a pound of Powder: The Arms and Furniture for each are to be as follows; the Defensive Arms, a Back, Breast, and Pot the Breast and Pot Pistol-proof. The Offensive Arms, a Sword and a Case of Pistols, the Barrells fourteen Inches long: the Furniture for a Horse shall be a great Saddle or Pad with Burs and Staps, a Bit and Bridle with Pectoral and Crupper. The Musqueteers shall have Musquets with Barrells three Foot long: the Gauge of the Bore for Bullets of twelve to the pound: a Collar of Bandoliers and a Sword; a Pike-man shall have a Pike of Ash not under fifteen Foot long, with a Back, Breast, Head-piece and Sword: Musquets already made, that will bear a Bullet of fourteen to the pound, and Pikes not under fifteen Foot long, shall be allowed.

XVII. The Militia for the Isle of Purbeck shall remain separate from the County of Dorset.

XVIII. Persons charged shall not be compellable to serve in Person, but may find others to be approved by their Captain, subject to be altered upon appeal to the Lieutenant, or in his Absence, &c. Persons so found shall serve under such Penalties as are before appointed in this Act: all serving in Person, who are not to be approved of as aforesaid, and all serving in others stead, shall

in the next Muster of their Troop give in their Surnames and Places of abode, to such as the Lieutenant, or in his absence, &c. shall appoint to be Listed: after such Listing such Party shall not desert the Service, or be discharged thereof without leave of the Lieutenant or two Deputy-Lieutenants, or his Captain (but not subject to such appeal) under their Hands and Seals, on pain of 20 l. to be Levied *in supra*: and for non-payment or want of Distress, to be committed for any time not exceeding three months to the common Gaol of the County.

IX. Nothing in this Act shall put a new charge of Arms upon the Tinnars in Devon and Cornwall: but the Lord-Warden of the *Marches*, in pursuance of the Kings Commission, and such as he shall authorize, according to the Directions in this Act, shall Assess, Arm and Muster the Tinnars there.

XX. The Lieutenants for the Militia of London shall continue to List and Levy the Train-Bands and Auxiliaries there, in such manner as was used in forming the present Forces now raised by the Kings Commission, and may Levy yearly so much Money as they shall judge useful, as the present Assessment is now Levied, not exceeding in any year one months Tax, which the City now pays toward the Tax of 20000 l. *per mensem*.

XXI. Officers and Souldiers of the Militia of any City, Burrough or Town-Corporate, that is a County in it self, or other Corporation or Port-Town, shall not be compellable to appear out of the Liberties of the same at any Exercise, onely such Places shall find such usual number of Soldiers, unless the Lieutenants lessen the same.

XXII. Covenants between Landlords and Tenants shall not be voided by this Act: nor any alteration made in the *Iste of wight*, as to the Militia of that Place.

XXIII. The Constable or Lieutenant of the *Tower* may continue to Levy the Train-Bands of the *Tower* Hamlets in such manner as was observed in forming the present Forces.

XXIV. No Peer shall be charged otherwise than as followeth, viz. The King shall issue Commissions under the Great Seal to twelve or more Peers, who, or five of them, shall Assess the same according to the Proportions in this Act (except the *County* Taxes, which are to be Levied as above) and put all the Authorities in this Act in Execution, Imprisonment excepted: and the Charge and Penalties imposed shall be certified to the respective Lieutenants, and in default of performance, they, their Executors, or three, &c. shall cause Distresses to be taken, and for satisfaction within a week after, sell the same for performance of the said Service: and if the Tenant of any Peer shall be charged for such Default, he may deduct the Sum Levied out of his Rent.

XXV. Stat. 15 Car. 2. cap. 4. The Lieutenants of the Counties, and in their absence, or otherwise by their direction, Deputies, or two of them, may from time to time Lead, Train, and all persons raised and arrayed according to the Act of 13 & 14 Hen. 8. cap. 3. and all persons charged, shall on pain of 5 s. allow upon demand 2 s. 6 d. by the day to each Trooper, and on pain of 2 s. allow 1 s. a day to a Foot-Soldier, for so many days as they are absent from their Dwellings: unless some other Agreement be made: the Penalty to be paid to such Trooper or Footman, and to be demanded within six weeks after default, or at or before the next Exercising, and not afterwards.

XXVI. The Lieutenants and Deputies, or three of them, may inflict a Penalty not exceeding 5 l. on persons refusing to provide such Foot-Soldiers, &c. to be employed to the uses in default whereof it was imposed: and may appoint Constables to provide upon a Penalty not exceeding 40 s. so many Foot-Soldiers, with Wages and incident Charges, as shall be Assessed upon Revenues under 50 l. per annum, or personal Estates less than 600 l. in their several Parishes, &c.

XXVII. If any refuse to provide or pay, &c. the Constables by Warrant for that purpose may Levy it by Distress and Sale of Goods: the Tenant shall pay it, and deduct it out of his Rent.

XXVIII. Once a year each Soldier shall pay to his Muster-Master (who shall be an Inhabitant of the respective County) such Sum as exceeding 1 s. for a Horseman, and 6 d. for a Footman, as the Lieutenants and Deputy Lieutenants, or three of them, under Hand and Seal direct: who may Levy it by Distress and Sale of Goods on the persons chargeable, unless the Default be through the Soldiers neglect, who in that case is to be accountable for the same.

XXIX. At every Muster a Musqueteer must bring half a pound of Powder, and half a pound of Bullets, and if he serve with a Match-Lock, three yards of Match; a Horseman, a quarter of a pound of Powder, and a quarter of a pound of Bullets, at their charge who provide the said Soldiers: who are to forfeit 5 s. for every omission to bear such charge.

XXX. Every Commissioned Foot-Officer in the Militia shall be excused from finding Horse or Foot, if charged but with one Horse or less, if with more, then for so much as shall be charged with one Horse.

XXXI. Soldiers raised by virtue of this Act, shall be subject to all Orders of the former Act, and under the Penalties therein expressed.

XXXII. The Lieutenants and Deputies, or three of them, may dispose so much of the fourth part of one months Assessment mentioned in the former Act, to the inferior Officers, as they think fit.

XXXIII. Defendants in Actions for any thing done in Execution of this Act may plead the General Issue, and if Judgment be for him, or the Plaintiff, be non-suit or discontinue, shall have double Costs: and such Actions shall be laid in the proper Counties, and brought within six months after Cause of Action.

XXXIV. The Forfeitures by this Act imposed (not otherwise provided how to be levied or recovered) may be levied by Warrant under Hand and Seal from the Lieutenants and their Deputies or three of them, by distress and sale of Goods, and for want thereof by Commitment till Satisfaction by like Warrant.

XXXV. None that have Estates of 200 *l. per annum*, or Personal Estates of 2400 *l.* shall be charged with Foot; but they that have 100 *l. per annum*, or 1200 *l.* and under 200 *l. per annum*, or 2400 *l.* may be charged with Foot or toward finding Horse: but they shall make no alteration concerning the Forces to be raised in Cities, Corporations and Port-Towns.

XXXVI. The Warden of the *Cinque-Ports* and in his absence his Lieutenants shall put in Execution in the said Ports and their Members the Authorities given in these Acts, and continue the usual number of Souldiers there, unless they see cause to lessen the same. The Inhabitants of the said Ports, &c. shall not be charged for their Estates in the Counties adjacent, but for so much as they are liable to and not charged within the said Ports, &c.

XXXVII. The Parish of *St. Martin* in the Suburbs of *Stanford* may be charged by the Lieutenants and Deputy-Lieutenants of the County of *Lincoln*.

Vid. Ministers.

Ministers.

I. Stat. 12 Car. 2. Cap. 17. Every Ecclesiastical Person Ordained by any Ecclesiastical Person before the 25th. of December last past, being twenty four years of Age, and having not renounced his Ordination, who hath been since the 1st. of January 1643, presented to or placed in possession of any Ecclesiastical Promotion with Cure of Souls, and was on the said 25th. of December in possession thereof, is hereby declared to be lawful Incumbent and Possessor of the same, to all intents. Saving to Patrons their Right of Patronage upon the next avoidance.

II. Every voluntary Surrender to the Patron, or to any the pretended Powers by any Incumbent shall be adjudged an avoidance. No Presentation or Collation aforesaid, nor Confirmation by this Act shall amount to an Usurpation.

III. Every Ecclesiastical Person formerly dispossessed after lawful Presentation and Perception of profits of any Ecclesiastical living, not having subscribed any Petition to bring the late King to Tryal,

of

or by some open Act justified his Murther, or by Printing, Writing, or constant refusal to Baptize, declared his Judgment to be against Infant-Baptism, shall be restored at or before the 25th. of December next ensuing.

IV. Ministers heretofore ejected out of two or more Livings shall be restored but to one at their Election, except they have formerly resigned any, and the right Patron put in another, in which case they shall not be restored to the Livings so resigned. The like of Ministers confirmed in any Benefice with Cure of Souls by this Act, which shall have more than one Living.

V. Where the Minister formerly Sequestred shall declare his Consent in Writing before the Commissioners appointed by the Act, there the present Possessor not being scandalous or inefficient shall be confirmed as rightful Incumbent. Ministers removed shall pay Tithes not pardoned, and make Satisfaction in Dilapidations since the 29th. of September last, &c. and pay all Fines in arrear last Michaelmas.

VI. If any declared by this Act to continue lawful Incumbent, have Petitioned to bring the late King to Tryal, or justified his Murther, or declared his Judgment to be against Infant-Baptism (as *supra*) such Minister shall not continue Incumbent, his Living be void as if he were dead.

VII. Justices of Peace in their several Counties or any two or more of them, near to the Church or Living to which any Minister is to be restored, or from which any is to be removed, are interested as parties in the said Church, shall execute the Power hereby granted, and determine all Differences touching the same before the 25th. of December next: and all Suits in Law and Equity concerning the Premises shall be annulled.

VIII. Leases of Lands belonging to any Sequestred Living except the Glebe and Tythes, for three Lives and twenty years, at the ancient Rent, made before the 25th. of December 1659, shall be as good as if made by the proper Incumbents.

IX. Clerks presented by the true Patrons to the Commissioners for Approbation of publick Preachers or Committee for plundered Ministers, who late *Anno Dom.* 1659. and refused without lawful cause, shall be taken to be perfect Incumbents of such Benefices, unless such Patrons have presented others who are possessed, or such Clerks be settled in some other Benefice.

X. This Act shall not continue any Persons in any Living, since the 25th. of December last yielded up the possession thereof, and are still out of possession, or who by Writing under Hand and Seal have agreed to yield it up.

XI. All that have paid Ecclesiastical Duties to any in possession of any Benefice by pretence of Authority shall be discharged of the same against all Persons.

The Rectory of *Emmyn* in *Oxfordshire* shall be restored to the Professor in that University and his Successors according to the Grant by King *James*, and the Rectory of *Somerham* in *Huntingdonshire* to the Regius Professor in the University of *Cambridge* and his Successors.

XIII. This Act shall not confirm or restore any Minister that refused to take the Oaths of Allegiance and Supremacy to be tendered by the said Commissioners or three of them.

XIV. Persons presented by the King under the Great Seal between the first of *May* 1660. and the 9th. of *September* in the same year, shall enjoy such Benefices as if this Act had not been made.

XV. But they that on the 25th. of *December* 1659. were possessed shall not be charged by such Presentees for any profits received before the said 25th. of *September*.

XVI. The Vicarage of *Kidlington* in *Oxfordshire* shall remain as formerly annexed to the Rectorship of *Exeter Colledge* in *Oxford*, and the Rectory of *Garsington* in the same County to the Rectorship of *Trinity Colledge* in *Oxford*; and the Rectory of *Colton* in *Northamptonshire* to the Bishoprick of *Peterborough*, and the Vicarage of *Cusden* in *Oxfordshire* to the Bishoprick of *Oxford*.

XVII. This Act shall not confirm any that have Printed or Printed any thing against the Kings Right to the Crown: so as the same be proved by two Witnesses before the Commissioners, and so adjudged by them before the 25th. of *December* 1660.

XVIII. If any adjudged to be removed shall not give in the possession, the Commissioners or Five of them shall grant their Warrant to the Sheriff to put the persons adjudged to be restored in possession: and in default of such Warrant the Sheriff of the County is required to give possession.

XIX. This Act shall not confirm any that did appear in Arms against the Restoring of the King and a free Parliament since the 1st. of *August* 1649. so as the same be proved by two Witnesses before the Commissioners before the 25th. of *December* 1660. and so adjudged by them.

XX. This Act shall not confirm any Person in the Rectory of *St. Andrew* in *Middlesex*.

XI. All Peers of this Realm may within six Kalendar months after the first of *September* in this year, present their Clerks to the King to which they had right to present since the first of *January* 1642. notwithstanding any Laps: unless where the King before the 9th. of *September* in this year by Title of Laps or otherwise had presented.

Monasteries;

XII. The

**Monasteries, Abbeyes, Priories, Colledges,
Free Chappels, Hospitals, Chantries,
their Governours and Possessions, and
all other Religious Persons.**

I. *Marlb. 28. 32 H. 3.* If Wrongs or Trespasses be done by Abbots or other Prelates of the Church, and they die before Judgment given thereof, whether or no the Suit be commenced in their Life-time, yet their Successors shall have Actions to demand the Goods of their Church out of the Hands of such Trespassers.

II. The Successors shall also have a Writ to recover Scire of their Lands intruded into in time of Vacation, and thereon damages shall be awarded them as in Assizes of *Novel disseisin* is used.

III. *West. 1. 1. 3 E. 1.* The Peace of the Church and Realm shall be duly kept; and Religious Houses shall not entertain any at the Charge of the House, save only the Priors, &c. neither shall any charge them, in pain of imprisonment, to make Fine, and to be otherwise punished at the King's Will.

IV. No Purveyance shall be made of a Prelate without his Consent.

V. The Sheriff shall not ride with above five or six Horses, nor endamage Religious Persons by Lodging too often at their Houses or Mannors.

VI. *Artit. Cleri. 1. 2 E. 2.* Religious Houses shall not be charged by compulsion with Corodies, Pensions, Rectors, or taking of their Horses or Carts, upon the pains ordained by the Statute of *West. 2.*

VII. *Stat. 1 E. 2. Stat. 2. 10.* There shall be no more Grants of Pensions, Prebends, Churches, or Corodies, at the King's request, by Bishops, Abbots, Priors, Abbesses, or Priories.

VIII. *Stat. 27 H. 8. 28.* All Monasteries, Priories, and other Religious Houses of Monks, Canons and Nuns, which have above the clear yearly value of 200 *l. per annum*, are given to the King and his Heirs, to have and hold the same in as large and ample manner as they enjoyed them; and all Grants thereof made or to be made by the King to others are confirmed: the Right of others having any Profit out of the same being saved.

IX. Fraudulent Conveyances made by the Governour of Religious Houses within one year next before the making of this Act shall be void: Howbeit all Leases upon the accustomed Rents and Grants of accustomed Offices, Fees, or Corodies, shall be saved.

All Ornaments, Jewels, Goods and Debts which they had at the death of March 1535. or at any time since, are also given to the King.

The King shall have the actual and real possession of the said Houses without Inquisition of Office, so that he may lawfully give them at his will and pleasure.

XII. Cells which are only Obediencers to the Abbeyes and Priories dissolved by this Act shall still remain undissolved notwithstanding this Act: The right also of Founders, Patrons and Donors is saved.

XIII. Stat. 27 H. 8. 27. *pars inde*. Upon the Grant of Abbey-Land in Fee, a Tenure *in Capite* shall be reserved to the King, and also a yearly payment of the tenth part of the yearly value, as is appointed in the Letters Patents.

XIV. Stat. 31 H. 8. 13. The King and his Heirs shall have of the Monasteries, Abbeyes, Priories, Nunneries, Colledges, Hospitals, Houses of Friars, and other Religious Houses and places, together with their Estates, which since the 4th. of Feb. 27 H. 8. have been dissolved, suppressed, renounced, relinquished, forfeited, given up, or by any other means are come into the Kings hands, in as large and ample manner as the Governours thereof held them in right of the said Houses.

XV. All Religious Houses dissolved and to be dissolved, together with the Revenues to them belonging, shall be in the actual possession of the King.

XVI. These Abbey-Lands (except such of them as shall come to the King by Atrairder of Treason) shall be within the Survey of the Court of Augmentations.

XVII. Here, the Right of all others is saved; save only for Rent-service, Rentfeck, and all other Services and Suits which are expressed out of the said saving.

XVIII. Provided, that all Leases of any such Religious or Ecclesiastical House, or of any Hereditaments thereunto belonging, granted within one year next before the Dissolution thereof, which have heretofore usually been demised, or whereof there was a former Lease in being, or whereupon such ancient yearly Rent is not served as hath been usually paid for the same twenty years next before the beginning of this Parliament, and also Wood-sales made within one year, as aforesaid, shall be void.

XIX. Also all Feoffments, Fines and Recoveries of such Lands whereof the King was Founder) made, acknowledged or suffered by the Governors or Governesses thereof, without the Kings licence, within one year next before such Dissolution, shall be void.

XX. The like provision is made for making void Leases and Wood-sales of Lands belonging to such Religious or Ecclesiastical Houses as are hereafter to be dissolved: Also all Feoffments, Fines and

and Recoveries of such Lands (whereof the King is not acknowledged or suffered by the Governors or Governesses) shall likewise be void.

XXI. Leases for years, not exceeding twenty one, made before this Parliament, or the dissolution of such House, whereupon the accustomed Rent is reserved, and where a longer Term therein is not expired at the making of such Lease, shall be good, notwithstanding this Act: so also is a Lease for Life or Years granted a year before dissolution to the old Tenant, or the former Lease for Life or Years being not expired, and the accustomed Rent being reserved.

XXII. Grants also for Life by Copy of Court-Roll, according to the Custom, where the old Rent is reserved, shall be good.

XXIII. Leases inrolled, decreed, or affirmed in the Court of Augmentations, (albeit they be made within the year) shall be good.

XXIV. Where any hath paid Money for Wood, and by this Act is abridged from having his bargain, he shall be relieved therein by the Chancellor and other Officers of the said Court, or any three of them, whereof the Chancellor to be one; and if any other hath taken the Wood, he shall make satisfaction for the same to the party grieved.

XXV. Grants to other persons by such Religious persons, with the Kings Consent and Licence under the Great Seal, shall be good: howbeit here the Right of others is saved.

XXVI. A Confirmation of the Kings Exchanges and Purchases since the 4th. of February 27 H. 8. Howbeit here also the Right of all persons but the Exchangees and Bargainees is saved, Rent-service, Rents-seck and other Services excepted.

XXVII. The Kings Letters Patents of Lands and other Beneficiments granted since the 4th. of February 27 H. 8. and within three years after the making of this Act, shall be sufficient, notwithstanding mis-recital, non-recital, mis-nomer, cause, consideration, or thing material to the contrary. Here also the Right of all others (save of the King, and the Governors and Governesses) is saved.

XXVIII. Such Lands, Parsonages appropriate, &c. belonging to the said Religious Houses, as before their coming into the Kings hands or dissolution were discharged of Tythes, shall so continue.

XXIX. All Rents, Services and other Duties, saved to the King notwithstanding this Act.

XXX. Such Monasteries, &c. as were heretofore exempt from the Jurisdiction of the Ordinary, shall from henceforth be within the Jurisdiction and Visitation of the Ordinary in whose Diocese they shall be situate.

XXXI. The Grant of the Abbey of Shipton in Suffolk is confirmed to the Duke of Norfolk, and the Colledge or Chantery of

to the Lord Cobham, notwithstanding this Act; the
others being saved.

XXII. Stat. 37 H. 8. 4. All Colledges, free Chappels,
Monasteries, Hospitals, Fraternities, Brotherhoods, Guilds, and
other Promotions, made to have continuance for ever, and charge-
able with First-fruits and Tenths, and also all the Mansion-houses,
Manors, Lands, Tenements, Hereditaments, Rights, Members and
Appurtenances unto them belonging, which between the 4th. of
February 37 H. 8. and the 25th. of December the 37 of H. 8. were
relinquished, or otherwise extinct, other than such of
them as now are or were in the Kings possession, and have been
granted by the Kings Licence, or recovered by a former Right or
Title, shall be adjudged in the actual possession of the King; and
his Heirs and Successors, in as large manner as the Governors,
Inhabitants, Patrons, Donors, or Founders of them, or any of
them, have since the said fourth of February 27 H. 8. enjoyed the
same, or do now enjoy them.

XXIII. All Covenants, Bonds, and Grants of any Rent or
dowry, made to any Chantry-Priest, or other having any of the
said Promotions, in consideration of any Bargain, Grant, or other
allowance of the said Promotions, or any part thereof, shall be void.

XXXIV. Every person being in Life, which for any Sum of
Money hath sold any of the said Promotions, shall repay (upon
demand) unto the Bargainee, his Executors or Assigns, the Mo-
ney so received: and for non-payment thereof, the said Bargainee
shall maintain an Action of Debt against them that so sold the
same unto the said Bargainee or his Testator; in which Action no
Fines, &c. shall be allowed.

XXXV. All Gifts, Grants, Surrenders, and other Assurances
made to the King of any of the said Promotions between the said
fourth of February and the 25th. of December, shall be good a-
gainst the Bargainers, their Successors and Assigns, and also a-
gainst their Founders, Donors and Patrons, their Heirs and Suc-
cessors.

XXXVI. All Letters Patents made by the King of any of the
said promotions, or any part thereof, and all Assurances thereof
made with the Kings Assent by any having such Promotions, shall
be good against the Granters, their Heirs and Successors, and
against their Founders, Donors and Patrons, their Heirs and Suc-
cessors.

XXXVII. The King during his Life may direct Commissions by
Warrant to be Signed by his own Hand to such persons as he shall
think fit, giving them power to enter into so many of the said
Promotions, chargeable with First-fruits and Tenths, as shall be
expressed in such several Commissions, and to seize and take the
same into the Kings possession, to have and hold the same to him,
his Heirs and Successors.

XXXVIII.

XXXVIII. The Commissioners (or any two of them) shall enter into any part in the Name of the whole; and by their Entry and Seizure, albeit the Lands be in several manors, or lie in several Counties, the King shall be adjudged to have the actual possession thereof, without any Inquisition, Office, or Entry.

XXXIX. The Commissioners, or any two of them, after Seizure made, shall certify and return every such Commission, with the King mention in Writing of their doing therein according to the Words and Authority thereby given them.

XL. All such Chanteries and other Promotions aforesaid (and to be seized, as aforesaid) shall be within the Order and Statute of the Court of Augmentations; and all Suits tending to the Determination of the Mannors, Lands, and other Hereditaments belonging to them, shall be also heard and determined in that Court: Howbeit Suits between Party and Party concerning the said Mannors, Lands, &c. shall be heard and determined by the Common Law and Statutes of this Realm, and not in the same Court.

XLI. All Assurances made of any Inheritance or Free-hold without the Kings Assent by any Chantery-Priest, or other Governour having any of the said Promotions, being not made to the King, shall be void, as well against the King, as against the Successor of such Chantery-Priest, or other Governour.

XLII. The Right of others is saved, other than the Governours and their Founders, Patrons or Donors, their Heirs and Successors, and other than such persons, their Heirs, Successors and Assigns, as claim any Free-hold or Inheritance by Conveyance from any such Governour without the Kings Assent thereto.

XLIII. If any such Governour within one year before the 23. of November in the 27 H. 8. hath made, or shall hereafter make, a Lease for Life or Years of any such Promotion, or any part thereof, which was not for the most part of twenty years before such Lease let to Farm, but in their own Occupation, or within the said time hath made, or shall hereafter make, any such Lease in reversion, the old Lease not being then expired, or within the said time hath made, or shall hereafter make, any such Lease, without reserving the accustomed yearly Rent for the same twenty years next before the said 23. of November, or have made any Wood-sale, the Wood being yet standing: then every such Lease and Grant shall be void.

XLIV. This Act shall not extend to any Lands, or other Hereditaments, whereof such Governours now are or hereafter shall be seized or possessed to their own use, not united or annexed to their Promotions; nor to Lands or Pensions granted or to be granted by the King unto such Governours (for Life only) under the Great Seal or the Seal of Augmentations.

XLV. The

The Governors from whom the same (by force of this Act) any Lands, &c. shall be proportionably abated for the same Tithes and First-fruits.

Every person having any Annuity or Rent issuing out of any such promotion shall still enjoy them notwithstanding this Act: And he that hath bought and paid for any Wood shall have his Mo-
ney repaid, or the same Wood.

XVII. All payments for the First-fruits happening after such failure as aforesaid, are discharged.

XVIII. All Rents, Services, Issues and Profits Payable out of any promotions into the Exchequer shall be still continued, notwithstanding this Act.

XXI. Stat. 1 H. 6. 14. All Colledges, free Chappels and Churches in esse within five years before the first day of this Parliament, which were not in the actual and real possession of the King, nor of E. 6. nor excepted in the said Statute of 37 H. 6. (other than such as by the Kings Commission shall be allowed) and all Mannors, Lands, Pensions, Hereditaments, and such belonging to them, and all Mannors, Lands, &c. given or granted for the finding of a Priest to have continuance for ever, and wherewith a Priest hath been maintained within the said five years (which were not in the actual possession of H. 8. or E. 6.) and all Rents, Profits and Emoluments within the said five years directed towards or for the maintenance of a stipendary priest, or by any Act or Writing to have continuance for ever, shall be allowed and be in actual and real possession of the King, his heirs and Successors, without any Office or other Inquisition, in the same manner as such Priest, or other Governours or Incumbents thereof, at any time within the said five years enjoyed the same.

XXII. All Mannors, Lands, &c. appointed for the maintenance of a Priest, to have continuance for a term of years not expired, shall be given to the King during such term only, and no longer: And it shall be lawful for the Reversioner to enter without livery, or livery, or other suit to be made to the King at any time.

XXIII. The King shall also have all Lands, Tenements, Rents, and Hereditaments, given for the maintenance of any Anniversary, Oblit, or other like intent, or of any Light or Lamp in any Church or Chappel, to have continuance for ever, which hath been continued within five years above limited.

XXIV. Where an Anniversary, Oblit, Light, Lamp or the like, shall be maintained out of part of the Issues of any Land, &c. the King shall have so much yearly Rent issuing out of the same Land, &c. as such Charge shall amount unto in any one year within the said five years, to be paid yearly by even Portions, at Michaelmas and Lady-day, into the Court of Augmentations, or into other Court as the King shall appoint; and upon Non-payment

payment thereof, it shall be lawful for the King, his Heirs and Successors, to distrain for the same; and if there be any Rent to be had, and the Rent be unpaid by the space of a Month, it should be paid, in such case the King shall seize part of the Land of like value to answer the Rent, to have and hold to him, his Heirs and Assigns, for so long time as he so will, and the Issues out of the said Lands.

LIII. The King, his Heirs and Successors, shall have all of Money, Profits, Commodities and Emoluments, appurtenant to the said Lands, which have continuance for ever, which in any one year within the last ten years have been employed by any Corporation, Guild, Fraternity, Company or Fellowship of any Mystery or Craft, or by any Governor or Governors, towards the maintenance of any Feast, Anniversary, Obit, Lamp, Light, or the like, so be paid yearly Rent-charge at *Michaelmas* and *Lady-day*, by even Portion, to the said Court of Augmentations, or in any other Court that the King shall appoint.

LIV. The King hath power to distrain the said Corporations, Guilds, &c. for the said Money, which shall be in the actual possession of the King, without any inquisition or office.

LV. The King shall have to him, his Heirs and Successors, all the Lands, Tenements, and other things, which were in the actual possession of the King, without any inquisition or office.

LVII. The King may direct Commissioners to such persons as they shall think fit, which Commissioners or any two of them, shall have power to survey all Lay-Corporations, Guilds, Fraternities, Companies and Fellowships of Mysteries or Crafts Incorporated, and all other Fraternities, Brotherhoods and Guilds within the limits of their Commission, and also all Evidences, Compositions, Books of Accompts, and other Writings, thereby the better to discover what Money or other things were paid for the finding of a Priest, Anniversary, &c. and likewise to inquire what Lands, Tenements, Rents, and other Hereditaments, are granted to the King by force of this Act.

LXII. The Commissioners, or any two of them have power to assign where Guilds, Fraternities, or Chantery-Priests, having lands in fee in *Michaelmas* last to the first day of this Parliament, by their Foundation to have kept a Grammar-School or Prebend, to assign Lands to continue in succession of a School-master or Preacher for ever, towards the keeping of a School and preaching, and for such other good purpose as to them shall seem meet, and likewise to make a Vicar to have perpetuity for ever in every parish, being the first day of this Parliament a Colledge, free Chantery, or Chantery, or united unto any of them, and also to endow every Vicar sufficiently, without any License or Grant from the King, Bishop, or other Officers of the Diocess.

These also have power (in great Towns, where more necessary) to assign such Lands for the maintenance of such Priests there as they shall think fit: and also to give them for the service, use and demeanour of such Priests and School-masters aforesaid: and to set down by what name or names they shall henceforth be called.

IX. The Commissioners shall also assign such yearly Pension to every Governor, Fellow and Servant of every such Colledge, free Chappel or Chantry, to continue during their several lives, as to them shall seem fit.

X. The Commissioners shall enquire what Money or other thing any poor person enjoyed within five years before this Parliament, and give order for the payment thereof, and assign Lands for the purpose, that it may have continuance for ever: and also assign Lands to Fraternities, Brotherhoods and Guilds for the maintenance of Peers, Juries, Walls and Banks.

XI. The Receivers of the Respective Counties where such Pensions are allowed by the Commissioners shall readily pay the same without Fee, and shall be allowed theirs upon their Accounts.

XII. The Commissioners shall make Oath that they shall be true and execute their Commissions towards the Deans, Masters, Priests, Provosts, and other Incumbents aforesaid, as also towards the Poor, and the maintenance of Peers, Juries, &c. And all orders by them, or any two of them, certified into the Court of Exchequer, or other Court, to be assigned by the King, shall be as effectual as if they had been ordained by the Parliament.

XIII. Howbeit they shall not allow more to any Dean, Master, or other person enjoyed before; and when he is promoted to better, the same shall cease.

XIV. The Commissioners, or two of them at least, shall within one year after the Commission to them directed make certificate of such Assignments as they have made, in pain of one hundred

XV. The King shall have all the Goods of every Colledge, Chantry, free Chappel, Chantry or stipendary Priest, belonging to the Furniture or Services of their several Foundations, and shall not be abused; Howbeit their Debts shall be paid by the

XVI. This Act shall not extend to any Colledge or Hall in the City of London, the Free Chappel at Windsor, the Colledges of Eton and Eaton, Newn Chappel in the Isle of Ely, nor to the Lands belonging to them, nor to any Chappel of Ease, nor to any Chappel whereunto only a Churchyard, a little Close doth belong, nor to any Cathedral where there is no Bishop's See, nor to their Lands; other than such Chantries, Lanes and Lamps, used within such Cathedrals within

five years before this Parliament, and unto which the Act shall extend.

LXVII. The King may during his life alter the Names of the Chanteries and their Foundation.

LXVIII. The Right of all persons (except only the Governors, Incumbents, &c. of such Chanteries, &c. their Heirs and Successors of every of them, also the Grantees of any the Premises to the uses aforesaid, or to the use of any such Chantery, &c. without the Kings License) is saved. Likewise all Services, Rents, Annuities, Profits and Offices due to the Founders, Donors, &c. and Leases made before the beginning of this Parliament whereupon the accustomed Rent is reserved, are saved.

LXIX. The Bargainor of any of the Premises, or his Executors shall repay unto the Bargainee, his Executors or Administrators the Money received upon sale thereof, within three months after request thereof made; and upon non-payment thereof such Bargainee shall recover it by Action of Debt, wherein no Effort shall be allowed.

LXX. The Premises given to the King by this Act together with their Revenues shall be within the survey of the Court of Augmentations, or such other Court as the King shall appoint.

LXXI. All Leases made by the said Governors, Incumbents, &c. since the 23. of November 37 H. 8. whereupon the old Leases are reserved, shall be void, but all others shall continue in force.

LXXII. This Act shall not extend to any Lands whereof the Governors, Incumbents, &c. are used or possessed to other uses, and not encharged to such Chanteries, free Chappels, &c. or any Mannors, Lands, Pensions; &c. nor parcel of the Premises granted by H. 8. or granted, or to be granted by E. 6. to any of the said Governors, Incumbents, &c.

LXXIII. Every person which had any Rent or yearly profit of the Lands of any Chantery, &c. shall still enjoy them, according to the standing of this Act.

LXXIV. All payments of First-fruits to be made by any Governor, Incumbent, &c. after the beginning of this Parliament shall be remitted.

LXXV. Payments answered yearly into the Exchequer of the Premises shall be still continued.

LXXVI. All Assurances made of the Premises by H. 8. or by either of their Licenses, or to either of them by any Governor, Incumbent, &c. shall be good; the right of the same being saved.

LXXVII. This Act shall not extend to make good any thing made by any Parson or Vicar; nor to prejudice the Lord of any or any Corporation, or the Chantery of *Witchamare* in *Wiltshire* folk.

LXXVIII. All such Chanteries, free Chappels, &c. given to the King by this Act as are within the Duchy of Lancaster (together with their Lands, &c.) shall be within the survey of the Duchy Court: and all Commissions to be issued out concerning them shall be under the Great Seal, but shall be certified into the said Duchy.

LXXIX. The King may impower Commissioners to alter the use and condition of Obits to better uses; and none shall take advantage of any Remainder, Use or Condition, for not finding of Priests Obits, Anniversary, Light, or Lamp.

LXXX. This Act shall not extend to give Copyhold lands to the King, but the said Incumbents shall have them during their lives towards their maintenance.

LXXXI. This Act shall not extend to lands recovered from a Curry-Priest by a good Title without fraud.

LXXXII. All Letters Patents made by H. 8. and E. 6. of Chanteries and other Premises are confirmed.

LXXXIII. Stat. 1 & 2 P. M. 8. *pari inde.* None shall molest any person for any Abbey lands, in pain to incur a *Premur*, *Tin* & *El.*

Of Money.

* I. The Statute of Great Money, *inerti temporis.* None shall grievously forfeiture shall expend, utter or receive any Money any other Coin than *English*, *Scotch*, or *Irish*, nor import more Money into this Realm than may serve him for his Expences, nor (unless forced by Tempest) at any other than the known ports, and there shall shew his Money to such person as the King shall assign, without concealment, in pain to forfeit his Body and Money.

II. None shall hide his Money within Cloaths, Fardels, Bales, or otherwise, in pain that the Finder thereof shall have 4 *d.* for every pound so found, and the King the rest. And the Body of any man in whose hands any false or clipped Money shall be found shall be arrested, until he find Surety, if he be a suspicious Man. Also he shall find any other Coin than *English*, *Irish*, or *Scotch*, shall break the same, and restore the pieces to the party that owns it, and shall oppose him, in pain of great Forfeiture: but false money shall be pierced without restoring it.

III. Because poor people cannot well discover light Moneys, they shall receive and pay them by weight of five of even weight the Tumbrel, to be delivered unto them by the Warden of the Mint, and marked by the Kings Mark: And it shall be lawful for any man to pierce Money not weighing the Tumbrel. However 4 *d.* shall be allowed in every pound weight, (bring then 20 *s.*) and it shall be only worn, 6 *d.*

* IV. The Statute of Small Money, 20 E. 1. No Merchant or other shall import into this Realm any Money clipped or counterfeited; or traffick therewith, in pain for the first time to forfeit the Money; for the second, the Money and all his Goods; for the third, his Body and Goods.

V. Others which have clipped Money shall pierce it, and carry to the Kings Exchange to be new coined.

* VI. Stat. 9 E. 3. 1. None (without the Kings licence) shall export any Gold or Silver in Money or Plate, in pain to forfeit the same.

* VII. Cap. 2. None shall import into any of the Kings Dominions any false or counterfeit Money, in pain to forfeit the same. Howbeit, any person (Stranger and other) may bring to the Kings Exchange good Money or Bullion, and receive convenient exchanges for the same.

* VIII. Cap. 3. Small Money (*viz.* half-pence or further) shall not be molten into Vessel or any thing else by any Person, in pain to forfeit the Money so molten, and to suffer imprisonment until he hath paid the one half thereof.

IX. Cap. 4. Black Money shall not be current in this Realm.

X. Cap. 5. The Prosecutor against the Offenders of this Statute shall be allowed a fourth part of the Forfeiture.

XI. Cap. 6. There shall be no defrauding of this Statute.

XII. Cap. 9. Search shall be made for Money exported, and false Money imported.

XIII. Cap. 10. The Searchers shall have the fourth part of the Forfeiture.

XIV. Cap. 11. Hostlers (*viz.* inn-keepers and Victuallers) shall be sworn to search their Guests.

XV. Stat. 18 E. 3. Stat. 2. 1. Money shall be made, and exchanges ordained, where the King shall please.

XVI. Stat. 25 Ed. 3. Stat. 5. 13. Money shall not be weighed by Weight or Allay.

XVII. Stat. 25 E. 3. Stat. 5. 20. Plate of Gold and Silver shall be received into the Kings Mint by weight, and not by measure; and so also shall the Money be returned.

XVIII. Stat. 39 E. 3. Stat. 1. 2. None shall export Gold or Silver in Money or Plate but Victuallers of Fish, who sell Herring or other Fish, and such as import Fish in small Vessels who meddle not with other Merchandize; but not otherwise, as the Chancellor shall think fit.

XIX. Stat. 5 R. 2. 2. None shall export Gold or Silver. *Quære whether this Statute be not repealed by 4 Jac. 1.*

XX. Stat. 17 R. 2. 1. The Statute of 9 E. 3. Cap. 2. shall be duly executed, and none shall melt Groats or half Groats into smaller pieces, upon the pain contained in that Statute.

XXI. Foreign Coin shall not be current in England, but shall be brought to the Bullion, there to be molten into the Coin of England.

in pain of forfeiture thereof and imprisonment: neither shall there be any Exchange of *English Money* for *scotch Money*, nor the like pain.

XXII. Stat. 2. H. 4. 5. If the Kings Searchers find any Money or Plate in the custody of any ready to pass beyond Sea, or in any Ship which is to go beyond Sea, it shall be forfeited to the King, save the Parties reasonable Expences, which he shall also lose, unless he presently confess the Truth.

XXIII. Provided, that Merchant-strangers shall sell their Merchandize in *England*, and do imploy half their Money received for the same upon other Merchandize of *England*; may by the Kings License export the other half thereof without prejudice.

XXIV. Stat. 4 H. 4. 10. A third part of all Silver-money which shall be brought to the Bullion shall be coined into half-pence and farthings, of each alike, and the Coiaer shall make Oath to do so.

XXV. No Goldsmith shall melt half-pence or farthings, in pain to forfeit four times so much as he so melts.

XXVI. Stat. 11 H. 4. 9. Gally-half-pence shall not be current in *England*, and all Statutes formerly made concerning Money are confirmed.

XXVII. Stat. 13 H. 4. 6. The Statute of 11 H. 4. 5. and all other Statutes formerly made concerning Money shall be duly put in execution.

XXVIII. Stat. 3 H. 5. Stat. 1. It shall be Felony to utter such Money in Payments. *But this Statute is now obsolete and out of use.*

XXIX. Stat. 3 H. 5. 6. It shall be Treason to clip, wash or file Money. *Howbeit this Statute is repealed by 1 Edw. 6. 12. and 1 R. Sess. 1. But the same again made Treason by 5 El. 12. which see in Treason.*

XXX. Stat. 3 H. 5. 7. Justices of Assize and of Peace have power to hear and determine all Offences concerning False Money.

XXXI. Stat. 9 H. 5. 11. No *English Gold* shall be received in payment but by the Kings weight.

XXXII. Stat. 1 H. 6. 1. The Kings Council may assign Money to be Coined, and Exchanges to be holden, in as many places as they please.

XXXIII. Stat. 2 H. 6. 6. No Gold or Silver shall be exported, in pain to forfeit the value thereof; save only for the Ransom of Prisoners, the reasonable Costs of Souldiers passing beyond Sea, and Money to be expended for certain *Scotch Commodities*, so as they be done by the Kings License.

XXXIV. Merchant-shiens shall find Sureties in the Chancery, every Company for them of their Company, that none of them shall export any Gold or Silver, in pain to forfeit the same; or the

the value thereof, whereof the Discoverer (unto the Kings Council) shall have a fourth part.

XXXV. Stat. 2 H. 6. 9. The Money called *Blanch* is prohibited.

XXXVI. Stat. 2 H. 6. 12. The Mint-master shall keep his due in the making of white Money according to his Indenture, and shall receive Silver brought to the Mint at the true value it is worth according to the same Assay, in pain to pay to the party his due Damages.

XXXVII. The Kings Assayer (who ought to be a person indifferent betwixt the Mint-Master and the Merchant) and the Controller of the Mint shall be present when any Bullion is brought to the Mint, to the end the Assayer may set the true value thereof, in case any variance happen betwixt the Master and the Merchant.

XXXVIII. The Controllers Office is, every two days failing to try all Silver brought in or carried out of the Mint, and without fee, (save what he receives of the King) in pain to pay double Damages: And he ought to be a credible man, and expert in the Mystery of Goldsmiths, and of the Mint.

XXXIX. The Mint-master and Exchanger shall convert all Coin of Gold and Silver brought to the Mint or to the Exchange according to the Form of the said Indenture, upon the pain to pay the same in contained.

XL. Stat. 19 H. 7. 3. All Coins of Gold and Silver current in this Realm shall so continue at the value they were coined at, albeit some of them be cracked, so as they be not clipped or otherwise diminished; reasonable wearing excepted.

XLI. If any refuse any lawful Coin in payment, he shall be compelled by the Officer of the place to receive it, and shall be imprisoned, or otherwise punished, as such Officer shall think fit. And if any Sheriff or other Officer refuse it, he shall be compelled to take it by a Justice of peace, and be otherwise punishable at the discretion of such Justice.

XLII. It shall be lawful for the owner of money clipped, or otherwise impaired, to exchange it at the Mint, or to convert it into Plate or Bullion, or otherwise to dispose thereof for his own profit.

XLIII. To avoid clipping of Silver Coins hereafter, the King appointeth new ones to be made with a Circle about the most part thereof: And for Gold Coins, that they should have the entire Scripture stamped without lacking any part thereof: the end wherby the King or Scripture it may be discerned if they are clipped, or any way diminished: and the Warden and Controller of the Mint are to see them thus ordered before they come to the Mint, in pain to forfeit their Offices, and to be hanged by the Kings Will.

None shall transport any Money, Plate, or Bullion, (above 100 l.) into *Ireland*, nor convey any of them into any other Vessel, in pain to forfeit them, and to be imprisoned at the Kings Will.

XLV. It shall be lawful for any to seize any *Irish* Coin (above 100 l.) brought into this Realm, and to deliver it in at the Mint, for which the Master shall presently pay him half the value thereof in his own use.

XLVI. Stat. 14 & 15 H. 8. 12. The Coiners of every hundred pounds-worth of Gold brought to the Mint to be coined shall make 20 l. thereof in half Angels, (then called pieces of 4 d.) and of every hundred pounds-worth of Silver, 50 l. in Groats, 20 l. in Two-pences, 20 l. in pence, 10 Marks in Half-pence, and 5 Marks in Farthings; in pain that the Mint-master shall forfeit 10 l. to be divided betwixt the King and the Prosecutor.

XLVII. The Half-pence and Farthings shall have several Stamps, to the end they may be the better distinguished by the common people.

XLVIII. When the value of the Plate or Bullion is under 100 l. the Owner thereof shall receive a tenth part in Half-pence and Farthings.

XLIX. This Act shall not be prejudicial to the Coiners and Mint-masters in York, *Duresm*, or *Canterbury*.

L. Stat. 14 EL 3. If any shall falsely forge or counterfeit any Coin of Gold or Silver not current in this Realm, he and his Promoters, aiders and Abettors, (after conviction) shall be imprisoned, and forfeit their Lands and Goods, as in case of misprision of Treason.

LI. Stat. 13 & 14 Car. 2. Cap. 31. None shall melt the Silver Money of this Realm on pain to forfeit it, and double the value, one half to the King, the other to the Informers; the Offenders, if Freemen, or privileged Persons of Cities or Corporations, shall be disfranchised and made incapable of exercising any Trade by vertue of the Priviledge of the said City or Corporation; if not, they shall be imprisoned six months.

LII. Stat. 18 Car. 2. Cap. 5. Whosoever shall bring any Gold or Silver to the Mint shall receive the same Weight in Coin, or so much more or less as the same shall be finer or coarser than Crown Gold or Standard Silver.

LIII. All Gold and Silver delivered into the Mint shall be Assayed, Coined and delivered out according to the Order and time of bringing it in: and if any undue preference be made by the Officers of the Mint, they shall be liable by Action of Debt, or on the case to pay the value of the Gold or Silver brought in and not coined and delivered according to this Act with damages and costs to the party grieved, and be forejudged their place; and if by their Deputies and Clerks without their privy, then such Deputies and Clerks only shall be liable as aforesaid, and incapable of serving or holding any Office in the Mint.

LIV. But

LIV. But Moneys may be delivered out to those that demand the same upon subsequent Entries, before others that demand theirs in course; so as there be so much left as will satisfy them.

LV. The Master-worker of the Mint shall give to the bringers in of Gold and Silver, a Bill under his Hand of the weight, fineness and value thereof, with the Day and Order of its delivery in to the Mint.

LVI. No Confiscation, Seizure, Attachment, Stop or Retention shall be made of any Gold or Silver brought in to be coined upon any pretence whatsoever.

LVII. And whereas it cannot be expected that the Expence of Coinage should be born by the King, there shall be paid to the Officers of the Customs for every Tun of Wines, Vinegar, Sider, or Beer Imported, besides other Duties, 10 s. and for every Tun of Brandy-wines or Strong-waters, 20 s. and so proportionably for a greater or lesser quantity, which shall be kept apart and paid quarterly into the Exchequer, there also to be kept distinct and paid out according to the direction of this Act without Fee.

LVIII. In case of Non-payment, the said Liquors shall be liable to such Penalties, as are appointed by the Acts for Tunage and Poundage, and for Frauds.

LIX. For what of the said Commodities shall be transported within a Year after Importation, the Duty paid by this Act shall be repaid.

LX. No Moneys payable by this Act shall be applied to any other use than defraying the Charge of the Mint, nor issued out of the Exchequer but by Warrant of the Lord Treasurer and Under-Treasurer or Commissioners of the Treasury, to the Masters and Workmen in the Mints, mentioning that they are for the Service aforesaid.

LXI. There shall not be issued in one year for Fees of Officers of the Mint and all necessaries for Coining above Three Thousand Pound, the rest shall be employed towards the cost and charge of Assaying, melting down, and buying in Gold and Silver to Coin.

LXII. This Act shall continue to the 20th. of December 1711. and to the end of the first Sessions of Parliament, next after.

LXIII. Stat. 25 Cap. 2. Cap. 8. Continued for seven Years from the end of this Session, and to the end of the first Session of Parliament then next ensuing.

LXIV. The Moneys collected by vertue of this Act shall be paid to such Officers as receive the Customs, and by them to the Receiver-General of the Customs, whose Acquittance shall be to them a Discharge, and a Certificate by them obtained from the Controller-General of the Accounts of the Customs, with allowance of the Commissioners of the Custom, or three of them, shall free them from all Accounts for the same.

If the Customs be farmed, the said Moneys shall be paid at the respective Ports, to such as the Lord Treasurer or Commissioners of the Treasury shall appoint, whose Acquittance shall be a Discharge, and a Certificate from such persons shall free them from all Accounts.

LXVI. The said Moneys shall be levied at the importation of the Commodities charged, under the same Penalties as for Non-payment or defrauding the King of his Customs upon the said Commodities.

LXVII. The said Moneys shall be kept apart and paid monthly at least from the Officers of the Port of London, and quarterly from those of the Out-Ports to the Receiver-General of the Customs; and when there is none, to such other as shall be appointed to receive the same: by them likewise to be kept distinct, and be paid once a Month into the Exchequer: there also to be kept apart.

LXVIII. The Lord Treasurer or Commissioners of the Treasury may allow out of the said Moneys such Salaries as they think meet to the said Officers, so as they exceed not 12 *d.* in the pound of the Money so collected.

Monopolies.

I. Stat. 21 Jac. 3. All Monopolies and all Commissions of or for the sole buying, selling, making, working or using of any thing within the Kings Dominions, or any other Monopolies, or of Power, Liberty or Faculty to dispense with any others, or to give License or Toleration to do, use or exercise any thing against the Tenor of any Law or Statute, or to give or make any Warrant for such Dispensation, License or Toleration, or to agree or compound for any Penalty or Forfeiture limited by any Statute, or for any Grant or Promise of any Benefit or Profit of any such penalty, Forfeiture, or Sum of Money, before Judgment thereupon had; and all Proclamations, Inhibitions, Restraints, Warrants of Assistance, and other matters and things whatsoever any way tending to the erecting, strengthening or countenancing thereof, are contrary to the Laws of the Realm, and shall be void and of none effect.

II. All the matters and things aforesaid shall be examined, heard, tried and determined by the Common Laws of the Realm, and not otherwise: And all persons are prohibited to use, exercise, or put them in ure.

III. The party grieved by pretext of any of the matters or things aforesaid shall recover (in one of the Courts at Westminster) treble Damages and double Costs; in which Suit no Essoin, other delay shall be allowed; nor any more than one Imparlance;

ance : And if any person, after notice given that such Act is pending is grounded upon this Statute, shall cause it to be delayed or delayed before Judgment by any Order, Warrant, Power or Authority, (save only of the Court where it is depending or shall), after Judgment had, cause or procure the Execution thereof to be staid or delayed by colour or means of any such Order, Warrant, Power or Authority, save only by Writ of *Prohibition* against, he or they so offending shall incur a *Premunire*.

IV. Letters Patents of new Manufactures heretofore granted for twenty one Years or under to the Inventors thereof, where they are not contrary to Law, or any way prejudicial to the Common-wealth, are saved; so also are such as have been heretofore granted for more than twenty one years, good for twenty one Years from the Date of their Patent, notwithstanding this Statute.

V. Neither shall this Act extend to Grants of new Manufactures hereafter to be made to the Inventors thereof for fourteen Years or under, being not contrary to Law, or prejudicial to the Common-wealth; nor to Grants heretofore confirmed by Act of Parliament, so long as such Acts continue in Force; nor to any Warrant of Privy Seal granted or to be granted to the Justices of the Kings-Bench or Common-Pleas, to the Barons of the Exchequer, Justices of Assize, of *Oyer and Terminer*, Gaol-delivery or Peace, or other Justices, to compound for the Forfeitures of any Penal Statute depending in suit before them, after Plea pleaded by the Party Defendant.

VI. This Act shall not be prejudicial to *London*, or any other Corporation, for any grant made them concerning their Customs; nor any Corporation, Company, or Fellowship of any Art, Trade or Mystery, nor to any Company or Society of Merchants.

VII. Neither shall it extend to any Grant of Privilege for Printing, digging or making or compounding of Salt-Peter or Gun-powder, or casting or making of Ordnance or Shot for Ordnance; nor to any Grant of any Office now in being, other than such as are decreed by the Kings Proclamation; nor to the Liberties of *Newcastle* concerning Sea-coals; nor to licensing of Taverns, so the King receive the Benefit; nor to the Patent granted to *Sir Robert Mansfield* for making of Glass; nor to that granted to *James Maxwell* Esquire for Transportation of Calves-skin; nor to that of *Abraham Baker* for making of Smalt; nor to that of *Edward Lord Dudley* for melting of Iron Ewer, and making the same into Cast-works.

Mortdanceror.

Mortdanceror.

I. *Warbridge 16. 52 H. 3.* If the Lord will not render unto the Heir his Land (when he comes to Age) without Plea, the Heir shall recover his Land by Assize of *Mortdanceror*, together with his Damages.

II. If the Heir at his Ancestors death be at full Age, and then seized of the Inheritance, the Lord shall not oust him, nor meddle with any thing there, but shall only take simple Seisin thereof, that he may be known to be Lord: and if the Lord shall then put him out, whereby he is driven to his Writ of *Mortdanceror* or *Cofinage*, he shall recover his Damages as in a Writ of *Novel disseisin*.

III. The King shall have *Primer seisin* of Lands holden in chief, and times past; neither shall the Heir or any other intrude into the Inheritance before he have received it out of the Kings Hands, as formerly hath been used.

IV. This Statute is to be understood of Lands accustomed to be in the Kings Hands by reason of Knights-service, Serjeancy, or right of Patronage.

V. *Statute of Gloucester, 6. 6 E. 1.* If one dye having many Heirs, of whom one is Son or Daughter, Brother or Sister, Nephew or Niece, and the other be a farther degree off, the Heir shall recover by a Writ of *Mortdanceror*.

Mortmain.

I. *Magna Charta, 36. 9 H. 3.* If any shall give Lands to a Religious House, the Grant shall be void, and the Land forfeit to the Lord of the Fee.

II. *Statute of Gloucester, alias, de Religiosis, 7 E. 1.* If Lands be any way alienated in *Mortmain* to a Religious Person or other, the King or other Lord immediate may enter within a year after such alienation; and if such Lord neglect it, the next Lord to him may enter within half a year after; and if all the mean Lords (being of full Age within the four seas, and out of Prison) neglect to do it, after the year the King may enter.

III. *Stat. 2. 31 E. 1.* Ecclesiastical Persons, being debarred by the former Statutes to obtain Lands in *Mortmain* by alienation, are empowered fraudulently to obtain them by default in a Suit: and therefore in such case it was ordained by this Statute, that it should be inquired by the Countrey whether or no the Demandant had a full Title thereto, and if so, then he should recover seisin, but if otherwise, the Lord of the Fee should enter, as aforesaid. And by this Statute each mean Lord hath a full half year given him after he hath been before him, until it come to the King. And here also the Lord, as also the King, are allowed their Challenges.

IV. After

IV. After the Judgment given, the Land shall remain in the Kings Hand, until it be deraigned by the Demandant, or other Chief Lord; and the Sheriff shall be charged to answer for it in the Exchequer.

V. *Ordinatio de perquirendis libertatibus*, 27 E. 1. To obtain License to make a Park, or to amortize Lands, the Writ *Ad quod dampnum* shall issue out of the Chancery to inquire concerning the same.

VI. Here Inquisitions of Lands that shall be found (by course) to be worth yearly more than 20 s. shall be returned into the Exchequer, and there the Parties shall make Fine for the Amortizements and for the Park, if the Inquisition pass for them; and afterwards the Chancellor (or his Deputy) shall have order to do his Duty therein.

VII. When the Yearly Value of the Lands exceeds not 20 s. the Inquisition shall be returned to the Chancellor, and he (or his Deputy) shall rate and take the Fine according to the quantity of the Land.

VIII. The like shall be done by such as purchase Lands holden of the King in Chief.

IX. If persons dwelling beyond Sea, and having Lands or Rents in *England*, are desirous to purchase Letters of Protection, or would make general Attorneys, they shall be first sent to the Exchequer to make their Fines, and from thence to the Chancellor (or his Deputy) for that which he ought to do therein.

X. In like manner shall they do that will purchase any Fair, Market, Warren, or any other Liberty. All such as will purchase Instalment of their Debts shall be sent into the Exchequer.

XI. Also such as are unable to travel, or dwell in remote parts from the Chancery, which plead or be impleaded, shall have a Writ out of the Chancery to some sufficient man that shall receive their Attorneys, when need is.

XII. For the better remembrance of these things, there shall be a tripartite Indenture made; whereof one shall remain in the Chancery, another in the Exchequer, and the third in the Gardrobe.

XIII. *Statute of Amortizing Lands*, 34 E. 1. Lands shall not be alienated in Mortmain where there be mean Lords, without their consent declared under their Seals: Neither shall any thing pass where the Donor reserveth nothing to himself, or when the Inquisition is made and returned without Warrant, viz. without the Writ Original returned with the Inquisition; and unless the Original make mention of every thing according to the proviso and sentence devised by the King.

XIV. *Statute of Writs* for making Inquisition of Lands to be put to Mortmain, *incerti temporis*. Writs *Ad quod dampnum* for amortizing Lands shall not be granted, but upon Petition to the Parliament.

Stat. De Clero, 3. 18 E. 3. If Prelates, Clerks, beneficed, or other people of Religion, being impeached for purchasing Lands in Mortmain, shew the Kings Charter of License, and Process thereupon made by an Inquest of *Ad quod damnum*, or of the Kings Grace, or by Fine, they shall be in peace: And albeit they cannot sufficiently shew that they have entred by due Process and License to them granted in general or special, yet they shall be well received to make a convenient Fine for the same.

Stat. 15 R. 2. 5. It is within the Compass of the Statute of 7 E. 1. to convert any Land into a Church-yard, albeit it be done by the consent or connivance of the Ter-tenant, and confirmed by the Popes Bull.

VII. If any be seized of any Lands or other Possessions to the use of any Spiritual Person with purpose to Amortize them, and whereof such Spiritual Person takes the Profits, they shall before the Feast of St. Michael next cause them to be amortized by the License of the King and other Lords, or dispose of them to some other use; otherwise they shall be forfeit according to the Form of the said Statute, as lands purchased by people of Religion: And no such Purchase to the use of such spiritual persons shall be hereafter made, upon the like pain.

VIII. The same Law shall likewise be of Lands or other Possessions purchased to the use of Guilds and Fraternities: Also lands purchased by Corporations, or to any other use, shall be within the compass of the said Statute *de Religio*.

XIX. Stat. 23 H. 10. If any Grant of lands or other hereditaments shall be made in trust to the use of any Churches, Chapels, Church-wardens, Guilds, Fraternities, Commonalties, Companies or Brotherhoods, to have perpetual Obits, or a continual service of a Priest for ever, or for sixty or eighty Years, or to such other uses or intents; all such uses, intents and purposes shall be void, they being no Corporations, but erected either of devotion, or else by common consent of the People.

XX. Such uses and intents may be made and declared to continue twenty Years from the time of such limiting of them, but no longer.

XXI. Collateral Assurances made for the defending of this Statute shall be void, and this shall be interpreted most beneficially for the destruction of such uses as aforesaid.

XXII. This Act shall not prejudice Corporations, where there is power to devise lands in Mortmain.

XXIII. This Act shall not prejudice the Executors of Jannis and Thys, late Aldermen of *Norwich*.

Mortuaries.

I. Stat. 22 H. 8. 6. No Spiritual person, his Bailiff, Lessee, shall take or demand more for a Mortuary than as is hereafter expressed, nor shall convent any person before any Ecclesiastical Judge for the Recovery of more for the same than as is hereafter declared, in pain to forfeit so much as he takes or demands more, and likewise 40 s. to the party grieved, to be recovered in Action of Debt, wherein no Essoin, &c. shall be allowed.

II. None shall take or demand for a Mortuary any thing at or where (by the Custom) they have not been usually paid, nor upon the death of a Woman Covert, a Child, a person not keeping house, a wayfaring man, one not residing in the place where he happens to dye, nor where the goods of the dead person (Debt deducted) amount not to the value of ten Marks; nor above the Sum of 3 l. 4 s. when they exceed not 30 l. nor above 6 s. 8 d. when they exceed 30 l. but not 40 l. nor above 10 s. when they amount to 40 l. or above. And if the person dye in a place where he or she dwelleth not, their Mortuary shall be paid in the place where they had their most abode.

III. This Act shall not abridge Spiritual persons to receive Legacies bequeathed unto them or to the Kings Altar.

VI. No Mortuaries shall be paid in *Wales*, *Calais* or *Brittany*, or in any of their Marches, save only in *Wales* and the Marches whereof where they have been accustomed to be paid; and such as are there paid shall be regulated according to the Order prescribed by this Act.

V. The Bishop of *Bangor*, *Llandaff*, *St. Davids* and *St. Asaph*, and the Arch-deacon of *Chester*, shall take Mortuaries of the Priests within their Jurisdiction as hath been accustomed, notwithstanding this Act.

VI. Less Mortuaries already settled by Custom shall not be increased by this Act; and there also persons exempted by this Act shall not hereafter be chargeable.

Murder and Manslaughter.

I. Stat. 25. 52 H. 3. Murder shall not be adjudged where it is found misfortune only, but where the party is slain by Force and not otherwise.

II. Stat. 3 H. 7. 1. *pays inde.* Every Coroner, upon view of the dead Body, shall inquire of the person that hath done the Death or Murder, also of their Abettors and Consensors, and who were present when it was done; and the Names of the persons so present and found shall inrol and certifye,

the Offender and his Accessories, being indicted, shall be arraigned at any time within the year at the Kings Bench, and the proceeding thereof shall not tarry for any Appeal to be prosecuted within the year, as hath been heretofore used.

VI. After the Principal or Accessary be acquit within the year and day, yet shall not the Justices suffer them to go at large, but send them to Prison, or let them be bailed, until the year be out: And whether they be attainted or acquit, yet the next Heir of the Slain may within the year and day (the writ of the Clergy being not before had, prosecute their Appeal against them, any such Attainder or Acquittal notwithstanding.

VII. The Wife or Heir may commence their Appeal in proper place at any time within the Year before the Sheriff and Coroners of the County where the Offence was done, or before the Justices of the Kings-Bench or Gaol-delivery. And in any such case (not only where Battel lyeth) the Appellant (after the Suit so commenced) may appoint an Attorney to prosecute it.

VI. When one is slain in the day-time, and the Murderer escapes untaken, the Township that suffers it shall be amerced, and the Coroner shall enquire thereof upon the view of the Body dead.

VII. Also Justices of Peace have power to enquire of Escapes, and to certify them into the King-Bench; and after the Prison found, the Coroners shall deliver their Inquisitions before the Justices of the next Gaol-delivery there, who shall proceed against the Murderers, or else certify such Inquisitions into the King-Bench.

VIII. A Coroner shall not be remiss, but duly execute his Office according to Law, in pain of $5 l.$ and shall have for his Fee (upon view of the Body) $13 s. 4 d.$ of the Goods of the Murderer. If he have any; if not, then out of such Amerciaments shall be set upon the Township that suffered the Murderer to escape.

Musters: vid. Militia.

I. Stat. 4 & 5 P. M. 3. If any who shall be commanded to Muster by any authorized thereunto doth absent himself, (having no lawful Excuse) or at such Musters doth not bring with him his Arms, he shall suffer ten days Imprisonment without Bail, to be imposed by the persons so authorized, unless he will agree to pay out for a Fine to the use of the King and Queen, and the Heirs and Successors of the Queen: which Fine shall be estreated into the Exchequer by the said persons so authorized under their Seals within two months after such Agreement, and afterward levied as Fines due by Justices of Assize and Gaol-delivery in their Circuit.

II. If any person authorized to muster or levy Souldiers exact or take any Reward to discharge or spare any from Service, he shall forfeit ten times so much as he shall so exact or take.

III. A Captain or other Officer which, after he shall have for a Reward) licensed a Souldier to depart, doth not pay him his Wages and Coat and Conduct-money, shall forfeit ten times so much as he shall so take, and to the Souldier three times so much as he should have paid him.

IV. The one Moiety of the abovesaid Forfeitures (except the limited to the Souldier) is given to the King and Queen, and the other to the Prosecutor.

V. Justices of Assize, Justices of Peace, and Stewards in Leets, have power to hear and determine these Offences; and the Justices of Assize or Peace upon Conviction of the Offence may commit him to prison without Bail, until he hath satisfied the abovesaid Penalties to the King, Queen and Prosecutor; or where there is no Prosecutor, to the King and Queen alone.

VI. Offences committed during the time of Service shall be heard and determined by the Chief Commander.

VII. This Act shall not discharge Service of War incident to the tenure of Land.

VIII. The Offender of this Act shall not be twice punished for the same Offence.

IX. None shall under Colour of Service of War incident to the tenure of Land exact any other thing than what shall be employed in present Service, and shall be restored again to the owner when the Service is done, at least so much thereof as shall not be paid or lost in the Service.

X. Inhabitants within Cities, Burroughs and Corporations shall be mustered at home by the Head-Officer, and one other (at least) to be joined with him by Commission, or otherwise.

Newcastle upon Tyne.

I Stat. 9. 5H. 10. **A**LL Keels in the Port of Newcastle shall be measured by Commissioners thereto assigned by the King, and marked of what Portage they are, before any carriage of Coal is made by them, in pain to forfeit them to the King.

II. Stat. 21 H. 8. 18. No person shall ship, load, or unload any Goods to be sold into or from any Ship at any place on the River of Tyne, between the places called Sparhawk and Hutton streams, but only at the Town of Newcastle, in pain to forfeit such Goods, which the Mayor, Burgesses and Commonalty there shall have power to seize for the Kings use.

shall raise or levy any Wear, Gore or Engine in the said Port betwixt the places aforesaid, in pain of 100^l. to be levied betwixt the King and the Prosecutor. And the Mayor, &c. have power to take away all such Wears, &c. which shall be found betwixt the said places.

IV. This Act shall not extend to the buying, shipping, loading or unloading of Salt or Fish, nor to the buying or selling of any Wares or Merchandize needful for the victualling or amending of Ships.

V. Stat. 30 Car. 2. Cap. 8. Commissioners shall from time to time be appointed by the King for the measuring and marking of Keels, and other Boats, Carts and Wains, for Carriage of Coals in the Port of Newcastle upon Tyne, and all the Members and Parts whatsoever to the said Port belonging, by the Bowl-rule of Newcastle, containing twenty two Gallons and a Pottle, Winchester measure, and being twenty seven Inches Diameter on the top from inside to outside, allowing one and twenty such Bowls, heap measure in a Chalder.

VI. The Content of each Wayn shall be seven Bowls, and of each Cart three Bowls and one Bushel heap measure: and three such Wayns or six such Carts shall be allowed for a Chalder; and no Coals to be made use of in such Admeasurement, but what is good and new wrought, and led to the Wharf within three months before such Admeasurement, one Moiety to be dry and the other wet. And Keels and other Boats so admeasured shall be marked by the Commissioners of what Portage they are, or by such as they or any three of them shall appoint, in such manner as the Commissioners, or any three of them shall think fit. Nor shall any Keel or Boat be admeasured or marked but between the 25. of March and the 19. of September in any year.

VII. Keels or other Boats, Wayns or Carts, which shall carry any Coals in the places aforesaid, before they be measured and marked as aforesaid, shall be forfeited, together with the Coals laden upon them; one moiety to the King, the other to him that will sue for the same.

VIII. The Mayor of Newcastle for the time being shall administer an Oath to such as the Commissioners, or any three of them shall appoint for the measuring or marking of Boats and Keels in the Port of Tyne, for the true Execution of their Trust. And the Commissioners, or three of them may administer the like Oath to such as they shall employ for measuring or marking, &c. in all places within the Limits of this Act.

IX. Persons that have a hand in removing or altering such Marks upon proof by one Witness before a Justice of Peace, shall forfeit 10^l. to be levied by distress and sale of Goods, and for want thereof be committed to Gaol for three Months.

News.

I. West. 1. 33. 3 E. 1. None shall report any false or slanderous News or Tales, whereupon Discord may arise betwixt the King and his People, or the Great Men of the Realm, in pain of Imprisonment until he produce the Author.

II. Stat. 2 R. 2. Stat. 1. 5. None shall devise, speak, or tell any false news, lies, or other such false thing, of Prelates, Lords, or the great Officers of the Realm, whereby any Discord or Disorder may arise, in pain to be punished as by the Statute of *Westm.* is ordained.

III. Stat. 12 R. 2. 11. When any one hath spoken falsely, contrary to the aforesaid Statute, and cannot produce the Author, and is thereupon imprisoned, he shall afterwards be punished by the Kings Council, notwithstanding the said Statute of *Westm.* 1.

Nisi prius.

I. West. 2. 30. 13 E. 1. Justices sworn shall be assigned twelve Assizes of *Novel disseisin*, *Mortdances*, and *Attaints*, and they shall associate unto them one or two of the discreetest Knights of the County where they come: Which Assizes and Attaints shall be taken but thrice in the year, *viz.* 1. Between the 8. of July and the 1. of August. 2. The 13 of September and the 6. of October. 3. The 3. of January and the 2. of February.

II. At such Assizes, before they depart, they shall appoint a day of their Return; and may also adjourn the Assizes from day to day, if the taking of them happen to be deferred at any day by vouching to warranty, essoin or default of Jurors. They may also adjourn Assizes of *Mortdances* (being respited by Essoin or *Prochein*) into the Bench, and in such case shall send under the Record thereof together also with the Original Writ: And when the matter is come to the taking of the Assize, the Justices of the Bench shall remit it to the Justices before whom the Assize shall be taken. But the Justices of the Bench in such Assizes shall be present four days (at least) in the year before the Justices assigned, to spare expence and labour,

III. All Pleas in either of the Benches that require small Examination shall be determined before them: Howbeit, it shall be at a day and place certain, appointed in the Presence of the parties, and mentioned in the Judicial Writ by these Words *Præcipimus tibi quod venire facias coram Justiciariis nostris* and

*inquisitionem (nisi Talis & Talis tali die & loco, ad partes illas
hinc veniat) duodecim, &c.* And when the Inquests of such
Pleas are taken, they shall be returned in to the Bench where
they were commenced to receive Judgment, and to be in-
rolled. And Judgment otherwise taken shall be void, ex-
cept in an Assize of *Darrein presentment*, and Inquisitions of
facti impedit, which shall be determined in their proper
County, before one of the Justices of the Bench and a Knight,
at a Day certain in the Bench assigned, whether the Defen-
dant consent or not, and there shall Judgment also pass im-
mediately.

IV. The Justices of the Benches shall have in their Circuits
Power to enrol all Pleas pleaded before them, as hath been used in
times past. And the Justices assigned shall not compel the Jurors
to say precisely whether it be Disseisin or not, so as they will shew
evidence of Fact, and then require Aid of the Justices: But if
they will of their own head say that it is Disseisin, their Verdict
shall be admitted at their own peril. And the Justices shall not
put upon Assizes or Juries any other thap such as were summoned
at the same at the first.

V. Stat. *De finibus levatis*, 27 E. 1. 4. Inquests and Recogni-
tances determinable before the Justices of either Bench shall be
taken in time of Vacation before any of the Justices before whom
the Plea is brought, being associate to one Knight of the same
County where such Inquest shall pass, unless they require great Ex-
amination: And such Justices shall proceed therein notwithstanding
the Statute of 21 E. 1. *De ponendis in Assisa*, (which see in
the margin.)

VI. Stat. *Eborac.* 12. E. 3. 3. Inquests in Pleas of Land
(which require no great Examination) shall be taken in the
County where the Plea is, before a Justice of the Peace,
assisted with a substantial Man in the County, whether
juror or other, so as a certain Day be given in the Bench,
at a certain Day and Place in the County, in the presence of the
Demandant, and the Demandant request the same: But Inquests
which require great Examination shall be taken in the
County, (in manner aforesaid) before two Justices of the
Bench.

VII. Stat. *Ebor.* 12 E. 2. 4. Justices of *Nisi prius* have power
to hear Non-suits and Defaults in the Countrey at the Days and
Places assigned, and shall report them in the Bench at a Day
there to be inrolled, and thereupon Judgment shall be
passed.

VIII. Stat. 1 E. 3. 16. Inquests in Pleas of Land shall be as
before at the request of the Tenant as of the Demandants, not-
withstanding the Statute of 12 E. 2. 3.

IX. Stat. 4 E. 3. 11. Justices of the Benches, of Assize, and
of *Nisi prius*, shall have power to hear and determine maintenance,
D d 3 conspiracy,

Conspiracy, Confederacy and Champerty, as well as Justice in Eyre: and that which cannot be determined before the Justice of either Bench upon the *Nisi prius*, shall be adjourned unto the bench where they are Justices, and shall be there determined. *Nota, that this Statute is confirmed by the Stat. of 7 R. 2. 13. which is in Maintenance.*

X. Stat. 14 E. 3. Stat. 1. 16. A *Nisi prius* in the Kings Bench shall be granted before a Justice of that place, if any Justice of that place may well go into those parts; if not, then before a Justice of the Common Pleas: so likewise those in the Common Pleas shall be grantable before a Justice of the Kings Bench, if he may go thither, *vide versa*. But if none of them may go, then before the Chief Baron, if, &c. or else before the Justices assigned to take Assizes in those parts, so as one of them be a Justice of one of the Benches, or the Kings Serjeant sworn. And here (to avoid fraud) if one party demand a Tenor of the Record, such Tenor thereof shall be also (upon request) delivered to the other party.

XI. Where Assizes of *Quare Impedit* and *Darrah prescriptum* are triable in the Country by *Nisi prius*, before the Justices of either Bench, the Chief Baron, or Justices of Assize, they may then give Judgment upon them.

XII. Stat. 9 R. 2. 7. In all Pleas where *Nisi prius* is granted of Office, after the great Distress returned and three times returned before the Justices against the Jurors, and thereupon the party demanded, if either Party will pursue, or if they refuse to do so, a *Nisi prius* in the case, then at the Suit of any of the Jurors then present, a Writ of *Nisi prius* shall be granted to end the quarrel, that as well in the Exchequer as elsewhere.

XIII. Stat. 14 H. 6. 1. Justices of *Nisi prius* have power to give their Judgments in cases of Felony and Treason, as well upon acquittal as attainder, and thereupon also to award Execution.

XIV. Stat. 18 E. 1. 12. The Chief Justice of England the Justices joyned in the King Bench or Chancery, and the Chief Justice of the Common Pleas and the Chief Baron of the Exchequer upon Issues joyned in their several Courts, or (in their absence) two other Justices or Barons, are made Justices of *Nisi prius* in the County of *Middlesex*, and may sit in *Westminster-hall*, or in the Exchequer, within the Term, or four days after, for the 6. Issues joyned in the said Courts respectively, and in the County of *Middlesex* aforesaid, to prevent interruption of proceeding in the said several Courts during the Term, and for the better ease of the Freeholders of *Middlesex*. Upon which Trials tales shall be taken, and all other Proceedings shall pass as upon Writs of *Nisi prius* triable elsewhere in the Country.

Non-Confessants.

Stat. 13 & 14 Car. 2. Cap. 1. If any who maintain that taking an Oath in any case whatsoever is unlawful, refuse to take an Oath where by Law they are bound, or endeavour to persuade others to refuse, or maintain that the taking an Oath in any case whatsoever is unlawful: And if five or more *Quakers* of sixteen years of age or upwards assemble under pretence of joyning in religious Worship not authorized by Law, the party offending being convicted by Verdict, Confession or by the notorious Evidence of the Fact, shall forfeit for the first offence the sum imposed, not exceeding five pounds: and for the second the sum imposed, not exceeding 10 l. to be levied by distress and sale of Goods: and in case thereof or non-payment within a Week after Conviction, shall be committed to the Gaol or House of Correction for the first Offence three months, for the second six months, to be kept at hard labour: The Money shall be paid to whom they before whom the Conviction is, shall appoint, for increase of the Stock of the House of Correction to which they shall be committed. If after two Convictions they offend the third time and are convicted, they shall leave the Realm, or the King may order them to be transported by Ship to any of his Plantations.

Justices of Oyer and Terminer, of Assize and Gaol-delivery, and of the Peace in their general Sessions, may determine the said Offences.

Justices of Peace, Mayors and Chief Officers of Corporations may commit to the Common Gaol, or bind over with Sureties to the Quarter-Sessions such Offenders, in order to their Conviction.

If after Conviction they shall take such Oaths and give Security to forbear meeting in such unlawful Assemblies; they shall be discharged from the Penalties aforesaid.

Lords of Parliament for every third Offence shall be tried by their Peers.

Stat. 17 Car. 2. Cap. 2. Parsons, Vicars, Curates, Lecturers and others in Holy Orders or pretended Holy Orders, or pretending to Holy Orders, all Stipendaries and others who have been possessed of any Ecclesiastical Promotion, not having declared their Assent and Consent, and subscribed the Declaration contained in the Stat. of 14 Car. 2. Cap. 4. and all that shall preach in any unlawful Assembly, shall not, unless only in passing upon the Road, come within five Miles of any City, Town-Corporate, Burrough that sends Burgesses to Parliament, or of any Parish, Town or Place, where since the Act of Oblivion they have been a Minister, &c. or preached *ut supra*, till before the Justices of the Peace at their Quarter-Sessions for the Division next to the said City or Town Corporate, &c. they have taken and subscribed the

Oath, viz: 1. A. B. Do swear that it is not lawfal upon any pretence whatsoever, to take Arms against the King, and, that I do abhor the traitorous position, of taking up Arms by his Authority against his Person, or against those that are Commissioned by him, in pursuance of such Commissions: and that I will not at any time endeavour any alteration of Government, either in Church or State, on pain to forfeit 40 l. one third to the King, another third to the Poor of the Parish where the Offence is committed, the other third to the Prosecutor, in any Court of Record at Westminster, before any Justice of Assize, Oyer and Terminer, or Gaol-delivery, Justices of the Countie Palatine of Chester, Lancaster and Durham, or of the great Sessions in Wales, or Justices of Peace in their Quarter-Sessions.

VII. Persons so restrained, &c. and others not first taking and subscribing the said Oath, and not frequenting Divine Service established by Law, shall not reach any School, by themselves or others, on pain to forfeit 40 l. to be recovered and distributed as aforesaid.

VIII. Any two Justices of the Peace of the County upon which made of any Offence against this Act may commit the Offender to prison for six months, unless he shall before the said Justices swear and subscribe the said Declaration.

IX. The Obedience of any persons so restrained to any Writ, Subpoena or other Process shall be no Offence against this Act.

Non-plevin.

1. Stat. 3 E. 3. 2. None shall lose their Land by reason of Non-plevin.

Non-suit.

1. Stat. 3 H. 4. 7. Where before Justices of Assize the parties are adjourned for some difficulty in Law upon the matter in issue in this Case the Plaintiff shall not be non-suited, albeit the Verdict pass against him.

Non-tenure.

1. Stat. 24 E. 3. Stat. 5. 16. By the Exception of Non-tenure of Parcel no Writ shall abate, but only for the quantity of the Non-tenure which is alledged.

Northampton.

I. Stat. 27 Car. 2. Cap. 1. The Judges of Assize for the County of Northampton and of the Courts of King-Bench, Common Pleas and Barons of the Gift of the Exchequer, the Justices of Peace for the said County, and Mayor of Northampton for the time being, Sir John Holman Baronet, Sir Edmund Bray Knight, James Willoughby, James Stedman, Robert Hargrave, Thomas Anderson, Thomas Ward, Charles Fleetwood, Daniel Danvers, Salathiel Lord and William Kimbold, Esquires, or five of them sitting at Northampton, are hereby constituted a Court of Record, and may observe the Formalities of proceedings in Courts of Law or Equity, as their Directions determine all Differences which have or may arise by reason of the late sudden and dreadful Fire which hapned September last in the Town of Northampton, other than Arrears of Rent due on or before the 29. of September 1675. The Definitive Order of the said Court to be final without Appeal or Review other than hereafter expressed.

II. The parties aforesaid or five of them may order the surrendering, increasing, abridging, ceasing or charging of any Estate in the Premises, or new Estates to be made to any late Occupier, at what Rent they think fit, unless where the Law forbids the diminishing of ancient and accustomed Rent. Such Orders to be conclusive notwithstanding any Coverture, Infancy, Non-satuity of widow, Estate-tail, Right of the Church or other Disability.

III. The said Court may make Directions in the Forms and Orders of Building: and may decree the Enlargement or Alteration of Streets, Lanes, Roads and Passages, and other publick places for the convenience of the Town, and may agree with the Owners of such ground as shall be made use of, and if any person through any Impediment cannot accept thereof, they may summon a Jury to assess such Recompence as they think fit, and upon payment of the Money so awarded, or tender and refusal thereof, the Interests of all parties to be bound.

IV. The said Court may alter Foundations, and award what shall be paid by such as are benefitted thereby and to such as receive damage: and in case any person will not, or through any Impediment cannot accept thereof, they may summon a Jury to assess it: upon payment whereof, or tender and refusal the parties damaged to be satisfied, and the persons benefitted to enjoy what shall be so assigned them.

V. The said directions shall not extend to take away any mans ground otherwise than to enlarge the passages at the places herein mentioned. For which see the Statute at large. If the Owners shall not within three Years after the Fire lay the Foundations of their houses, and within the time to be limited by the said Court within the time, the Court may decree the Soil to such as will build,

build and award satisfaction to the Owners : and in case any person will not, or through any Impediment cannot accept thereof, the Court may summon a Jury, *ut supra*.

VI. All Houses and other Buildings to be built in the said Town, shall be covered with Lead, Slate or Tyle, and no perilous Trade in respect of Fire shall be exercised in the principal Streets or Parts of the Town : Building otherwise covered, and Houses built contrary to the directions of the said Court shall be deemed publick Nuisances.

VII. Orders made by a lesser number than seven of the persons aforesaid may be excepted to within twenty days after they are made ; such Exceptions to be presented in writing to a Judge of Assize for the said County, or other Judge of either Bench or a Baron of the Court of the Exchequer ; and if one of them shall subscribe that he finds probable cause of complaint, seven or more of the persons above named, that did not make such Order, may review, reverse, confirm, enlarge or diminish or otherwise alter the same, or award Costs against the Appellants, and levy the same by distress and sale of their Goods : such Appeals to be finished within six months after the Exceptions delivered in.

VIII. Such Decrees shall conclude all persons whatsoever, Bodies Politick and Corporate, Infants, Feme-coverts, &c. and no Writ of *Certiorari* shall be for the removal or reversal of the same : they shall be entered fairly in one or more Books, and subscribed by the persons that made them : the said Books to be delivered in to the Mayor and Aldermen of the Town, to be kept among their Records and Evidences, and all persons concerned may have free recourse to the same : The Authorities given by this Act to continue ten years and no longer.

IX. The Justices of Peace for the said County who shall be Inhabitants in the Town, may exercise their Office within the Town and Liberties thereof as in the County : other Justices of Peace for the County may exercise the said Office within the Town and Liberties thereof during the time in which the Assizes and Sessions of the Peace for the County shall be kept there. Persons not free of the Town, that shall build any House there to the value of 300 £. within seven years from the 20. of September last, may exercise any Trade within the Town as Free-men.

X. All persons before they execute any the Authorities in this Act mentioned, shall take this Oath before two Justices of Peace for the County, *viz.*

I do hereby swear, that I will justly and truly execute the Powers and Authorities in this Act contained, according to the best of my knowledge, without favour or affection to any of the Parties concerned. So help me God.

XI. Persons impleaded for any thing done in pursuance of this Act, may plead the general Issue and give the special matter in evidence, and if the Plaintiff be non-suit, or a Verdict pass against him, the Defendant shall have double Costs.

Northumberland.

I. Stat. 23 H. 6. The Sheriff of *Northumberland* shall gather to more Head-pence there, in pain of 100 l. to be divided betwixt the King and the Prosecutor.

Norwich.

* I. Stat. 33 H. 8. 16. None shall buy within *Norwich* or the County of *Norfolk* any Worsted-yarn spun in the said City or County, but such as shall work it or cause it to be wrought in *Norwich*, or elsewhere within the said County, in pain to forfeit for every pound thereof otherwise employed 40 s. to be divided betwixt the King and the Prosecutor.

II. None shall convey beyond Sea any Worsted-yarn (spun in *England*) in pain to forfeit 40 s. for every pound to be divided as aforesaid.

III. Stat. 1 E. 6. 6. The Statute of 33 H. 8. 16. is made perpetual.

IV. Hat-makers dwelling in *Norwich* may buy Worsted-yarn called *middle-luffe-yarn*, as they have used to do, notwithstanding the Statute of 33 H. 8. 16. so as they employ it in Hat-making within the said City.

V. Stat. 5 & 6 E. 6. 24. None shall make Mats, Coverlets or Dornicks, by himself or others, or use any of those Mysteries in *Norwich* or *Norfolk*, unless he be admitted so to do by the Mayor, Recorder, Steward and two Justices of Peace of that City, or by four of them, or have been Apprentice to the said Mystery by the space of seven years.

VI. None shall make any Hats, Dornicks or Coverlets, in *Norfolk*, but only in some Corporate or Market-Town there, in pain to forfeit for every six Felts 10 s. for every Coverlet 3 s. 4 d. and for every six yards of Dornicks 6 s. 8. d.

VII. This Act shall not extend to the Inhabitants of *Pulham* in *Norfolk*.

VIII. The Mayor, Recorder, Steward, or Justice of Peace that takes a reward for admitting any to work, shall forfeit 5 l. to be divided betwixt the King and the Prosecutor.

IX. Stat. 1 & 2 P. M. 14. An Act for the making of Russlets, Rattens, Sattens reverses, and Fussians of *Naples*, at *Norwich*, and not elsewhere; by which Act there is a Corporation made for that purpose, and divers Articles concerning the same. See the Act at large.

X. Stat. 39 El. 22. An establishment of the Bishoprick of *Norwich* and possession thereof, against a pretended concealed Title made thereunto. See the Statute at large.

Vide *Drapery*, Num. 312. &c.

¶ Busance,

Nuisance.

I. *West.* 2. 23. 13 E. 1. A Writ of Nuisance shall be granted as well against the Alience as against the party that levied it, and when it is against the party himself, the Writ shall be, *Quis est nobis A. quod D. injuste, &c. levavit domum, murum, murum, & alia, qua sunt ad nocumentum, &c.* But when against the Alience, the Writ shall be, *Quis est nobis A. quod B. & C. levaverunt, &c.*

II. *Stat.* 6 R. 2. 3. All Writs of Nuisance called *Vicantia* shall be made at the Election of the Plaintiff, according to the old Form, or in the nature of Assizes, determinable before the Judges of the one Bench or other, or the Justices of Assize, to be taken in the County of the place assigned.

Oath.

I. *SEE Magna Charta*, Printed by Richard Tottel Anno Domini 1556. fol. 164. and 166. the Oaths of the King, the Bishops, the Kings Counsellors, Escheators, Sheriffs, Mayors and Bayliffs. See the Oath Ex officio, Courts and Jurisdictions Ecclesiastical, *Num.* IV. and see Title Quakers, *Num.* I.

Obligations.

I. *Stat.* 38 E. 3. 4. Whereas divers People be bound in any other Court out of the Realm by Instruments or otherwise, it is recorded, that all penal Bonds in the third person be void, and binden for none.

Odio & Atia.

I. *West.* 1. 11. 3 E. 1. Forasmuch as many being indicted of Murder, and guilty thereof, by favourable Inquests taken by the Sheriff, and by the Kings Writ of *Odio & Atia*, are reprieved until the coming of the Justices in Eyre; It is provided, that from henceforth such Inquests shall be taken by lawful men chosen out by the Oath of twelve men (of whom two at the least shall be Knights) who by no Affinity with the Prisoners or otherwise are to be suspected.

Officers and Office.

I. Stat. 12 R. 2. The Chancellor, Treasurer, Keeper of the Privy Seal, Steward of the Kings House, the Kings Chamberlain, the Clerk of the Rolls, Justices of the Benches, Barons of the Exchequer, and all others called to name and ordain Justices of Peace, Sheriffs, Escheators, Customers, Controllers, or any other Officer or Minister of the King shall be firmly sworn, that they shall not make or ordain any Officers or Ministers for any Gift or Brocade, favour or affection: And none which pursueth by him or by one, privily or openly, to be in any such Office, shall be put in default or any other: But that they make all such Officers and Ministers of the best and most lawful and sufficient men in their judgment and Knowledge.

II. Stat. 14 R. 2. 10. No Customer, Controller, Searcher, Weigher or Finder shall have any such Office for term of life, but during the Kings pleasure, notwithstanding any Patent or Grant to the contrary.

III. Stat. 17 R. 2. 5. No Searcher, Gauger, Aulsager, Finder, or Weigher of Wools or other Merchandize, Collector of Custom and Subsidies, or Controller, shall have their several Offices for term of life or years; but such Offices shall remain in the Kings hand, under the governance of the Treasurer, with the Assent of the Council, if need be: and all Charters and Patents otherwise made shall be void.

IV. Stat. 1 H. 4. 13. The Statute of 17 R. 2. 5. shall be duly put in execution, and all Customers and Controllers shall be resident upon their Offices in their proper persons, without making any Deputies in their places.

V. Stat. 4 H. 4. 20. The Statute of 1 H. 4. 13. shall be duly put in execution, and the said Officers shall be sworn so to do, on pain of imprisonment, and to forfeit 100 l.

VI. Stat. 13 H. 4. 5. The Statute of 1 H. 4. 13. shall be duly put in execution. And all Customers, Controllers, Gaugers of Wines, and Searchers, shall be resident upon their Office, especially at the time of charge and discharge of Ships and Vessels; so that no such Officer, after the time aforesaid, be absent from his Office by three weeks at the most, in pain to lose his Office, unless he be commanded upon record to be in the Kings Courts, or otherwise in the Kings Service of Record.

VII. Stat. 2 H. 6. 10. All Officers made by the Kings Letters Patent within his Courts, which have authority (*ab antiquo*) to appoint Clerks and Ministers within the same Courts, shall be sworn to appoint such there for whom they will answer at their peril, and such as be sufficient, and will be faithful and diligent in their places.

VIII. Stat. 31 H. 6. 5. All Letters Patents of the said King or Aulnage made against the Effect of the Statutes of 17 E. 2. or 4 H. 4. 24. (which see in Drapery) shall be void: And no Letters Patents of any of them shall be hereafter made, but by Warrant of Bill sealed by the Treasurer, and sent by him into the Chancery, as hath been heretofore used; and if any be otherwise made, they shall be void.

IX. This Act shall not extend to be prejudicial to the Queen, the Prince, the Duke of Buckingham, the Heirs of Henry late Earl of Warwick, the Cities of London or Winchester, to any Controller for any Office out of the Kings Ports, to John Rannick or Gale Scyath, Esquires, or to any of the King or Queens Household Servants, for any of their Offices, or the Fees thereof due and accustomed.

* X. Stat. 5 E. 6. 16. None shall bargain or sell any Office, Deputation, or any part thereof, or receive or take any Money, Fee, Reward, or other profit, directly or indirectly, or by Promise, Agreement, Bond or Assurance, to receive any such Profit for the same which Office shall concern the Administration or Execution of Justice, or the Receipt, Controlment, or Payment of any of the Kings Money or Revenue, or any Accompt, Aulnage, Auditorship, or Surveying of any of the Kings Lands, or any of his Customs, or any Administration or Attendance in any Customhouse, or the keeping of any of the Kings Towns, Castles or Fortresses, (being places of strength or defence) or any Clerkship in any Court of Record; in pain that the Bargainee thereof shall be in Place, and the Bargainer be adjudged disabled to execute the same: and every such Bargain and Agreement shall be void.

XI. Provided, That this Act shall not extend to any Office of Inheritance, for the keeping of a Park, House, Mannor, Chase, Chase or Forest; nor to the two Chief Justices, or Justices at Assize, but that they may grant Offices, as they did before the making of this Act. Also all Acts done by any Officer removed by force of this Statute shall be good in Law, until he be removed.

XII. Stat. 25 Car. 2. Cap. 2. All persons that shall be in Office, Civil or Military, or receive any Salary or Wages, by or grant from the King, or shall have Command or Place of Trust from or under him, or from any of his Predecessors, or by his Authority, in England, Wales, Town of Berwick, or in his Majesty or in the Isles of Jersey and Guernsey, or shall be of the Household or in the Service of the King or the Duke of York, who shall reside or be within London, Westminster, or thirty Miles of the same, at any time in Easter-Term in the year 1673. shall appear before the end of Trinity-Term next following in the Court of Chancery or Kings Bench, and between the hours of nine and twelve in the forenoon take the Oaths of Supremacy and Allegiance: And from which time of the taking thereof, all proceedings shall cease: and

the said persons and Officers not having taken the said Oaths, the said Courts shall on or before the first day of August in the Quarter-Sessions for that place where they shall be, or on the 30. of May, take the said Oaths in open Court between the said hours. And the said Officers shall receive the Sacrament of the Lords Supper according to the usage of the Church of England, at or before the first of August 1673. in some Parish Church upon some Lords Day.

XIII. And all person, that shall be admitted into any of the said Offices, or shall receive any pay or wages *ut supra*, or shall be received into any Service or Employment aforesaid, after the first day of Easter-Term aforesaid, and shall reside or be when so admitted in London or Westminster, or within thirty Miles of the same, shall take the said Oaths in the said Courts, in the next Term after their admittance, between the hours aforesaid: and all such persons to be admitted after the first day of Easter-Term, as aforesaid within one month after their Admittance.

XIV. And every of the said persons in the Court where he takes the said Oaths shall deliver a Certificate of his receiving the Sacrament, as aforesaid, under the Hand of the Minister and Churchwarden, and shall make proof of the Truth thereof by two Witnesses on Oath, all which shall be recorded in the respective Courts.

XV. All persons neglecting to take the said Oaths and Sacrament, as aforesaid, shall be *ipso facto* disabled to enjoy the said Offices or Employments, or any profit thereby; and every such Office shall be void.

XVI. All persons that after such neglect shall execute any of the said Offices or Employments and be convicted thereof in any of the Courts at Westminster or at the Assizes, shall be disabled to sue in any Court of Equity, or be Guardian to any Child, or Executor or Administrator, or capable of any Legacy, or deed of Gift, or to bear Office in England, Wales, or Town of Berwick, and shall forfeit, to be recovered in any of the Courts at Westminster

XVII. The Names of all such persons and Officers aforesaid as shall take the Oaths aforesaid shall be enrolled in the respective Courts aforesaid, with the time of their taking the same: Which for the Court of Chancery shall be publicly hung up in the Office of the Petty-bag, and for the Kings-Bench in the Crown-Office of that Court, and in some publick place in every Quarter-Sessions, during the whole Term, every Term, and during the whole of such Sessions, for every one to resort to, without Fee: and shall pay above 12 d. for entry of his taking the said Oaths.

XVIII. If any not bred up from their Infancy by their Parents or Guardians, be of the Popish Religion, and professing themselves Popish Recusants, shall educate their Child or Children, or suffer them to be educated in the Popish Religion, they shall be disabled of bearing any Office in Church or State: and all such Children so Educated shall be disabled.

disabled of bearing any such Office, till they be received into the Church of England, and take the said Oaths in the Church of the place where they inhabit : and thereupon receive the Sacrament of the Lords Supper after the usage of the Church of England, and obtain a Certificate thereof under the hands of the said Justices.

XIX. When the persons concerned in this Act shall take the said Oaths, they shall likewise make and subscribe this Declaration under the same Penalties as by this Act is appointed :

I A. B. do declare, that I do believe that there is not any Transubstantiation in the Sacrament of the Lords Supper, or in the Elements of Bread and Wine, at, or after the Consecration thereof by any Person whatsoever. Of which Subscription shall be kept the like Register as of taking the Oaths aforesaid.

XX. This Act shall not take away any right, which any person hath by reason of his Peerage, or take away any creature's right of Bills of Imposit, or make void any pension granted by the King of valuable consideration, for life, lives or years, other than such as relate to any Office, and other than voluntary Pensions ; nor make void any Estate of Inheritance granted to any in Hereditary, nor being Offices ; nor any pension granted to any whose maintenance is in the preservation of the King after Worcester Band, in the year 1651, nor make void the grant of any Office of Inheritance, or any Salary for executing thereof, so as such persons having such Offices appoint their Deputies to exercise them, till they themselves voluntarily take the said Oaths, and receive the Sacrament, and subscribe the said Declaration, and so as such Deputies take the said Oaths, receive the Sacrament, and subscribe the said Declaration as the Officers themselves are appointed to do ; and so as such Deputies be approved by the King under his Privy Signet.

XXI. Peers may take the said Oaths and make the said Declaration and deliver the said Certificate before the Peers in Parliament if the Parliament be sitting within the time limited, and in the intervals of Parliament in the Chancery.

XXII. No married Woman, or person under the Age of sixteen years, or beyond Sea, or on the Sea, or found by twelve men to be *non compos mentis*, and so remaining at the Trinity-Term 1673. shall lose his or her Office, by reason of this Act (other than such married Woman during her Absence) so as such persons within four months after such impediment removed, perform all thing by this Act appointed.

XXIII. Any person forfeiting any Office by such neglect, or a new grant of the same or any other Office, hold the same, and do all things required by this Act ; so as such Office be not forfeited and enjoyed by some other.

XXIV. This Act shall not make any forfeiture or void any Office, or upon any non-commission-Officer in the Navy, for neglect of the Declaration therein required.

This Act shall not extend to Pensions granted to the Earl of Arundel or his Wife the 16. of July 1669.

This Act shall not extend to the Office of High Constable, Tithing-man, Head-burrough, Overseer of the Poor, Church-wardens, Surveyer of High-ways, or the like, or to any Office of Forester, or Keeper of any Park, &c. or of Lands, or the like, &c.

Oyer and Terminer.

1. Stat. 2. 29. 13 E. 1. A Writ of Trespass (*ad audiendum & terminandum*) shall not be granted but before the Justices of either Bench or Justices in Eyre, unless it be for some heinous Trespass, which requires speedy remedy.

A Writ to hear and determine Appeals before Justices at Nisi shall not be granted but upon a special Case, a certain Return, and the Kings Command. And lest the Party should be too long in Prison, they may have the Writ *De Odio* granted, provided by *Magna Charta*, Cap. 26. and other Statutes.

Statutum quod vocatur *Bagman de Justiciariis assignatis*. 29 E. 1. By this Act it was ordained, that Justices should sit in England, to hear and determine Trespasses, and other matters of things done within twenty five years before; and that there be in that Statute concerning those things. See the 1. Pt. Chart. fol. 28. and Sir Edw. Coke in the fourth part of his 1. lib. cap. 34.

2. Stat. 2 E. 3. 2. pars inde. Commissions of Oyer and Terminer shall not be granted but before one of the Justices of the one Bench or the other, or the Justices Itinerant, and that for great and heinous Trespasses, and of the Kings special Grace, according to the Statute of *Westm.* 2. 29.

Oyl,

3 H. 8. 14. The Mayor of London, together with the Aldermen and Wardens of the Mystery of Tallow-Chandlers shall have power to search all Oyls brought to London to be sold, and to oversee that the same be not mixed or altered from the true kind; and what they shall find deceitfully mixed, they may seize the same, and punish the Offender by imprisonment or otherwise, according to their discretions, according to the Laws and Customs of London.

II. Head Officers in other Corporations shall have the same within their Jurisdictions.

Ordinaries.

I. *West. 2. 19. 13 E. 1.* Where an Intestate dies in Debt, and the Goods come to the Ordinary to be disposed, in this case the Ordinary shall satisfy the Debts so far as the Goods extend, in such sort as the Executors of such persons should have done in case he had made a Testament.

II. *Stat. 18 E. 3. 6. 3.* Temporal Justices shall not make inquiries of process awarded by the Spiritual Judges, saving only the Article in Eyre, such as ought to be.

III. *Stat. 2 E. 3. Stat. 3. 9.* The Justices shall not impeach Ordinaries or their Ministers upon Indictments of general Extortions or Oppressions, unless they put in certain, in what thing of what, and in what manner the Ordinaries or their Ministers have committed Extortion or Oppression.

Pains and Penalties.

I. *Stat. 13 Car. 2. Cap. 15.* An Act declaring the Pains, Penalties and Forfeitures, imposed upon the Estates and Persons of certain Notorious Offenders excepted out of the Act of Pardon and General Pardon, Indemnity and Oblivion. *See the Statute at large.*

Painters.

* I. *Stat. 1 Jac. 20.* NO Plaisterer shall use to exercise the Art of a painter in London or the Suburbs thereof, or by any manner of Colour or Painting whatsoever (in the Art of Painting heretofore used) unless he be a Servant or Apprentice to a Painter, or have served seven years as an Apprentice in the Art; in pain for every time so offending to forfeit $\text{\textit{s}} 4$. to be divided twixt the King and the Prosecutor.

II. Provided, That Plaisterers may use Whiting, Blacking, Lead, Red-oxar, and Rusler, mingled with Size only, and with Oyl, notwithstanding this Statute.

Provided also, That no Painter shall take above 16 d. the day for laying any flat colour whatsoever, mingled or mixed with any Size, upon any Timber, Stone, or Lead.

Palace.

I. Stat. 28 H. 8. 12. The Limits of the Kings Palace at Westminster shall extend from Charing-Cross to Westminster-Hall, and shall have such Priviledges as the Kings Ancient Palaces have.

Panel.

I. Stat. 42 E. 3. 11. No Inquests but Assizes and Deliveries of Gaols shall be taken by Writs of *Nisi prius*, before the Names of all that are to pass thereupon are returned into the Court.

II. The Sheriff shall array the Panels in Assizes for four Days at least before the Sessions of the Justices in pain of 20 l. so that the Parties may have a Copy of the Panels, if they demand them; and the Returns thereof by the Bayliffs to the Sheriffs shall be six Days before the Sessions, upon the pain of 10 l.

III. The most Substantial People, worthy of Credit, and not bound shall be put upon Panels, and such as may have best knowledge of the Truth, and dwell nearest.

IV. Stat. 3 H. 8. 12. Panels returned by the Sheriff to inquire for the King may be reformed by the Justices of Gaol-delivery or Justices of Peace (1. Qu) before whom such Panel shall be returned; and the Sheriff shall return the Panels to reform: in pain of 20 l. to be divided betwixt the King and the Prothonotary. And in this case the Kings Pardon shall be no Bar against the Prosecutor.

Pardon:

I. Stat. Of Gloucester 9. 6 E. 1. No Writ shall be granted out of the Chancery for the death of a Man, to enquire whether one killed another by misfortune, or *se defendendo*, or otherwise by felony; but the party shall be put in prison until the coming of the Justices in Eyre, or Justices assigned to the Gaol-delivery, and shall put himself upon the Countrey before them: and in case he be found *per infortunium*, or *se defendendo*, upon report thereof

to the King by the Justices, the King shall take him to his Grace if he so please.

II. Stat. 2 E. 3. 2. *pars inde.* Charters of Pardon for slaughters, Robberies, Felonies, and other Trespasses, shall be granted, but where the King may do it saving his Oath, where one Man killeth another in his own defence, or by good fortune.

III. Stat. 4 E. 3. 13. The Statute of 3 E. 2. is confirmed.

IV. Stat. 10 R. 3. 2. Pardons shall not be granted contrary to the Statute of 2 E. 3. 2.

V. Stat. 10 E. 3. 3. He that hath a Pardon of Felony shall within three Months after such Pardon find Surety, (before the Sheriff and Coronors) for the good behaviour, which shall within three Weeks after the three Months be returned into the Chancery under the Seals of the said Sheriff and Coronors: And if a party give not Security as aforesaid, or, being bound, do behave himself otherwise against the Peace than he ought, the Pardon shall holden for none.

VI. Stat. 14 E. 3. Stat. 1. 15. No Pardon of the Death of a Man, or other Felony, shall be granted, but only where the King may do it saving the Oath of his Crown; and if any Pardon be granted against the Statutes made before this time, it shall be holden for none.

VII. Stat. 27 E. 3. Stat. 1. 2. Pardons which have not in them the Suggestion whereupon they are granted, and also the suggestors Name, shall be void; so are those likewise which are granted upon false Suggestions.

VIII. Stat. 13 R. 2. 1. In a Pardon the Offence committed shall be specified, otherwise it shall not be allowed.

IX. No Pardon of Treason or Felony shall pass without Warrant of the Privy Seal.

X. If the Offence pardoned be afterwards found wilful Murder, that Pardon shall not be allowed. *Vide Stat. 16 R. 2. 9.*

XI. Stat. 5 H. 4. 2. If an Approver shall commit Felony after he is pardoned, he that procured his Pardon shall forfeit his whole Name shall also for that purpose be inserted in the said Pardon.

XII. Stat. 12 Car. 2. cap. 11. All Treasons, Murders, Robberies, Offences, Crimes, &c. since the first of Jan. 1627. and before the 25th. of June 1660. by vertue or colour of any Act made from the late King or the King that now is, or by any Act made from both or either Houses of Parliament, the Keepers of the Liberties of England, or Lord Protector so called, or from any person claiming or pretending to derive Authority from them or any of them, are pardoned.

XIII. All persons advising and abetting the same, they, their Heirs, Executors and Administrators are pardoned and discharged.

and all Judgments, Penalties and Forfeitures, all Grants made, and Estates derived under them, are from henceforth void: and all persons, Bodies Politick and Corporate are thereby restored to all things forfeited, which to the King do or shall pertain by reason of any Offence before mentioned: All Actions for any thing done by reason of the late Wars, and all Judgments, and Executions thereupon had before the 1st. of May, 1658. shall be discharged, but not to restore or account for any thing already received, or taken on such Execution.

IV. All Actions for any thing done by vertue or colour of any Authority from the late or present King, or of any Ordinance of either Houses of Parliament, or persons sitting as a Parliament after the death of King Charles the First, by the Authority of the Keepers of the Liberties of England, or by any Ordinance of either of the late Protectors and Council, or by Authority derived from them or any of them: all demands of Rent and mean of Land received by any of the Authorities or pretended Authorities aforesaid, shall be discharged.

V. All the Subjects of England and Ireland and other the Kings Dominions, their Heirs, Executors, &c. and all Bodies in any way incorporated, are acquitted and discharged against the King, from all Offences, all Sums of Money, Intrusions, Mean Profits, Wardships, &c. Arrearages of Rents, (other than those due to the late Farmers of the Excise or Customs) and generally of all things which can be by the King pardoned before and after the 24th. of June 1660.

XVI. If any Officer or Clerk of any of the Kings Courts within the Realm make out any Process or Precept whereby any before re-leased shall be summoned or grieved for any thing discharged by this Act: or if any Sheriff or other Officer levy or with-hold from any person any thing discharged by this Act, they shall pay to the person so grieved treble damages and costs of suit, and forfeit 10 \pounds . to the King, and all such Process, &c. shall be void.

XVII. Except Murders not pardoned in the first Clause; and except Perjury and Robbery not done in relation to the differences aforesaid, and all abetting such Offenders and receiving them or goods stolen; and except Buggery with Men or Beast, Rape, wilful adultery or marrying any Maid or Widow against her will or with-holding of her Parents, &c. and all abetting, &c. and except all Offences against 1 Jac. cap. 11. concerning marrying more Wives or Concubines, till the former be dead: and all Offences of Invocation, Witchcraft, &c. and all procuring and abetting, &c. and except all persons appointed by any the Authorities aforesaid, to receive Rents, Receivers, Farmers or Collectors (other than Subalterns) of the several Parishes, Towns, Hamlets, for their Rents before the 24th. of June 1659.

XVIII. But the Heirs, Executors, or Ter-Tenants of the Lands and Accounts now deceased, shall not be liable to account,

except for Sums due upon their Accounts already stated. The Accountant as aforesaid, now living shall account for Moneys disbursed, &c. by vertue or colour of any order, &c. of any Authorities aforesaid, or by their direction. But no person shall be called to account for any the matters in this Exception, after the 24th. of June 1662.

XXIX. If persons accountable for Moneys received since the 1st. of Jan. 1642. and before the 30th. of Jan. 1648. have been robbed or plundered of the Moneys in their hands, or any of their Books of Receipts or Acquittances touching their discharge, and Oaths shall be a discharge for so much: and the Oath of every Accountant between 1642. and 1648. of what they paid to any person, shall be a good Discharge: and, except all the Fines and Tenths in the hands of any Receiver.

XX. Every Judgment of discharge in the Exchequer since 1642. shall be allowed: except Accounts of Churches and Vicarages in *Wales and Monmouthshire*, and Judgments of discharge thereon.

XXI. Except Bribery, Perjury and Subornation thereof, Forgery, Counterfeiting Deeds or Examinations of Witnelles, and giving the same in Evidence, or compelling and procuring such Counterfeiting, &c. and except all detaining, Imbezeling and selling Money, Chattels or Jewels of the late King, Queen, Prince or any the Kings and Queens Children: other than Shipping and Ammunition, and Goods disposed of in satisfaction of their Debts, and except all Issues, Fines and Amerciaments received by any Officer, not accounted for; and except all Offences committed by any Jesuit or *Romish* Priest against an Act of 27 Eliz. against Jesuits, Seminary Priests and other disobedient Persons.

XXII. This Act shall not pardon Outlawries upon a *Cap. ad respondendum*: till the party outlawed agree with him at whose Suit he was Outlawed.

XXIII. Except all proceedings depending concerning Highways and Issues thereon returned since the 30th. of Jan. 1641. and except all Securities given since the 25th. of May 1640. by any Accountant in the Exchequer, and except all Recognizances and Obligations not forfeited.

XXIV. Except all persons who had a hand in the Rebellion in *Ireland*, mentioned in the Act of 16 Car. 1. other than such as by another Act intended to be passed shall be pardoned: nor shall this Act enure to restore to any (other than the Marquess of Ormonde and other the Protestants of *Ireland*, and such as by an Act intended to be passed, shall be named) any Estate, &c. disposed of by either Houses of Parliament, or any convention assuming that Name, or any deriving Authority from them.

XXV. All pardoned by this Act may plead the general Issue, and give this Act in Evidence.

XXVI. Except Thefts and other Felonies since the 1st. of May 1659.

This Act shall not discharge any from making such Return as by a pretended Act, entituled, *An Act for repeal of the Act for Sequestration*, is required to be made: nor any employed in any order to receive Money for the Kings Service or Supply in 1658. nor to discharge any for Moneys received for the Tax of Destination, or on the account of any Militia settled or acted in 1648. and not accounted for.

VIII. If any the Kings Menial Servants, or any having information from him during the time of such relation to him, traitorously held Intelligence with any Prince or State, or any Usurper or Supream Authority in any the Kings Dominions, their Ministers or Agents, without the Kings leave, such persons as to such offence shall be excepted out of this Act, so as they be outlawed and convicted thereof in two Years time from the 25th. of April 1660.

IX. This Act not to discharge any Sums of Money due for Taxes, whereof Entries have been made in the Custom-House, which have grown due since the 25th. of March 1658. or any Money due to the Farmers of Excise since the 25th. of March 1657.

X. Except our of this Act *J. L. W. S. Sir H. W. W. T. H. J. P. H. M. J. B. G. M. E. L. Sir M. L. R. F. D. R. A. S. J. O. J. H. W. G. C. H. T. C. J. C. J. J. M. C. G. C. T. W. E. H. T. S. W. C. J. D. N. L. V. P. A. G. J. D. J. M. J. T. P. T. D. B. T. W. J. C. A. B. E. D. W. H. H. P. D. A.* and those two persons who appeared disguised on the scaffold erected before *Whitehall* on the 30th. of Jan. Anno Dom. 1649. but the said O. R. *A. G. E. H. H. S. H. M. Sir H. W. R. T. G. F. J. T. T. W. S. M. W. H. J. P. P. T. R. L. G. M. V. P. T. W. J. D.* having rendered themselves according to the Proclamation of the sixth of June 1660. if they shall be attainted; yet shall not be executed but by Act of Parliament.

XI. Except also O. C. *H. J. J. E.* and T. P. deceased.

XII. This Act shall not discharge the Lands or Goods of *J. B. J. B. T. P. J. E. Sir J. D. Sir I. M. W. P. J. E. Sir J. C. R. D. F. A. P. P. J. M. J. A. H. E. Sir G. N. J. V. T. A. J. H. J. F. T. H. Sir J. B.* being all of them deceased, from Penalties and Forfeitures, as by an Act of Parliament intended to be passed shall be declared.

XIII. And except out of this Act *W. Lord M. J. C. Sir H. J. H. J. P.* and *R. W.* who did act and sit in that Traite-ment Assembly which proceeded against the Kings Life, and are subject to such pains and penalties not extending to Life, as by an Act shall be imposed on them. Except also *Sir A. H.* for Penalties and penalties only, not extending to Life, as by an Act to be passed for that purpose shall be imposed. *J. H. Esq;* and *J. L.* shall be incapable of any place or Office. *Sir H. P.* and *J. L.* excepted out of this Act. If *W. L. W. B. O. S. J. I. W. S. J. D. J. L. C. P. R. K. C. F. J. P. K. D. K. C. P. N. J. G.*

Sir G. P. T. L. and R. C. shall accept or exercise any Office or Employment in England, Wales, or Town of Bristol, shall stand as if they were totally excepted out of this Act.

XXXIV. All who since the 5. of December 1648. gave Sentence of death in any of the late High-Courts of Justice; or Warrant for Execution of any there condemned, (except and M. T.) shall be incapable of bearing any Office, or being a Member of any Parliament.

XXXV. The Trustees appointed in a pretended Act concerning Tythes impropriate, Oblations, &c. shall account for all such profits received and not disbursed according to that other Act in 1650, 1654, 1656. Receivers under them, or collectors of the Premises without agreement to pay Rent, that made no account or satisfaction to the Trustees, or with such agreement, and have not paid it, shall account for so much as is accounted for; or unsatisfied: such Accounts to be made as Parliament shall be directed.

XXXVI. This Act not to pardon Bonds in the late King made before May 1642. for securing the Debt of any Servant or Soldier of the Revenue, not paid; to or by order of some Authority, or Estates of such who ought to have been contributory to the payment of 150000 l. accepted by order of the House of Commons the 26. of May 1641. as a Composition from the Farmers of the Customs voted to be illegally taken, shall be chargeable with payment of their proportions, in whose possession soever, *bona fide*, and upon valuable considerations excepted, as if the Act had not been.

XXXVII. Except out of this Act Money due for Export of Beer, Ale, and other in-land Commodities since the 24. of May 1659. and Money due from Souldiers for free Quarter to any Soldier since the 2. of July 1659. or borrowed by any Officers for free Quarter.

XXXVIII. No conveyance nor limitation of any use of Lands, not being the Lands of the King, Queen, Prince, Archbishop, Bishops, Deans, Deacons and Chapters, nor sold for Delinquency, nor any Persons by virtue of any Order since the first of Jan. 1659. nor any Judgment or Recognizance made before the 29. of Jan. 1659. by any in this Act excepted by name, or their Heirs, or claiming under them, (other than their Wives, Children and Heirs) for Money *bona fide* paid or lent, nor any conveyance made before the 25. of April 1660. to them in trust for any other nor excepted shall be impeached or made void.

XXXIX. This Act shall not indemnifie any who have converted into Fabrick Lands, or possess themselves of any Revenues for repairs of any Church, or have converted the Plate or Goods and Materials of any Church to their own use, in respect of Crimes only. Confirmed 13 Car. 2. cap. 9.

23 Car. 2. cap. 5. All the Kings Subjects of England, and the Town of *Burwick*, all Bodies Corporated, Cities, Shires, &c. are pardoned and discharged against the King, of all Treasons, Felonies, Misprision of Treason, treasonable Words or Libels, Misprisions of Felony, Open Meetings and Conventicles, any Offences whereby any may be punished with a Premunire: Coynings of Farthings, Half-pence, Pence, Two-pence, and such like small Money without Authority, utterings thereof, and generally of all Offences, Contempts, Fines and Sums of Money; and all things, Causes, Judgments and Executions not hereafter excepted, which can by the King be reversed before the 23. of May 1673.

II. Grants by persons having incurred any such Forfeiture and Execution, shall be of such force, as if no such Forfeiture had been.

III. Any person may plead this Act without Fee or other charge, for Writing Entry of the Judgment, or other cause touching such Plea, Writing or Entry, but only 16d. to the Clerk, who shall enter such Plea, Matter or Judgment for the party charged.

IV. Officers of any of his Majesties Courts that shall make Writ, Process, &c. for any thing discharged by this Act; Sheriffs, Bachelors, Bayliffs or other Officers that shall levy or receive any thing so discharged, being thereof convicted, shall be liable to Damages to the party grieved, and cost of suit, and for the same to the King; and such Writs, Process, &c. to be void.

V. Excepted out of this Act Treasons and other Offences against the Kings Royal Person, all Treasons committed out of the Kingdom, all Offences in forging and counterfeiting the Great Seal, Sign Manuel; or Privy Signer, or Current Money, uttering the said Money, all misprisions and concealments of Treasons before excepted, and all abetting, &c.

VI. Excepted also all Murders, Petty Treasons, willful Poysoning, and all Accessories before.

VII. Excepted all Piracies, and procuring and abetting the same, or comforting and receiving them or the Goods so taken; Except all Burglaries in dwelling houses, and Accessories before the Fact; Except Buggery with Man or Beast, and Rapes of Women. Except all willful taking away or marrying any Maid, Widow or Girl, against her Will or assent of Parents, or such as have her in their power, abetting, comforting or abetting the same.

VIII. Except perjury and Subordination of Witnesses, Counterfeiting Deeds or Writings, or Examinations of Witnesses, tending to bring any person in danger of Life, procuring and Counselling the same.

IX. Except Forfeitures and other Profits grown due or to grow due to the King, for which any Action, Bill, Plaint, or Information, within six years before the 13th. of Febr. 1672. have

have been commenced in any Court at Westminster, or in any other Court, for coining such small Money as aforesaid.

XLIX. Except all Proceedings concerning Highways, Bridges, and Illues returned thereupon since the 25. of March.

L. Except all Offences in Imbezelling or purloining Goods, Money, Chattels, Jewels, Armour, Ammunition, Naval Provisions, Shipping, Ordnance or other Habliment of War.

LI. Except all the Titles and Forfeitures grown due to the King for not performing any Covenant or Condition.

LII. Except all Offences of Incest, Simony, Dilapidation, which any Suit is or was depending before the first day of the Session of Parliament.

LIII. Except all payments out of any Ecclesiastical Patron or Benefice: Except all Duties of Custom or Subsidie, Hearth-Money, Imposition upon Wines and other Licenses, Proceedings at Law, Duties arising by the Wine-Licence, Post-Office, or other Tax, Assessment, Duty or Imposition to the King, and all Concealments thereof, and Forfeitures arising thereby, or by non-payment: Corruptions of Officers concerning the same, &c.

LIV. Except all Debts, Accounts and Sureties excepted out of the Act of Oblivion.

LV. Except all taking from the King Goods forfeited by any of any Treason, Petty-Treason, Murder or Felony, and the Fines of any Lands, or Hereditaments of Traitors, Murderers, Robbers, or Clerks attainted, or of Lands or Hereditaments of Possessions of any Bishoprick, the Temporalities whereof were seized 25. of March 1663, or since, were, or ought to have been in the Kings Hands: Except Arrearages of Rent due from any part of any part of the Revenue, and Arrears of Fee-farm and Rents. Except Accounts of Collectors, Commissioners, or any Subsidy, Cuom, Tunnage and Poundage, Additional Prize-Goods, or other things grown due since the 25. of March 1663. and all Accounts for Receipts or other Charges made since the said 25. of March: and all Arrears of Accounts and accounts made since the said 25. of March.

LVI. Except Securities entred into the Accountants in the chequer, their Sureties and Accounts, and all Recognizances and Obligations for Payment of Money.

LVII. This Act shall discharge no Recognizance or Obligation not forfeited, nor any forfeited, whereby the Farmers or part of the Revenue ought to receive Benefit, nor any Debt by Specialty to any indebted to the King, and seized in the Kings Debt; nor any Debt whereupon any Enstalment or surety hath been made, on which any thing is, or (since the 25. of March hath been answered to the King; nor any Penalties or Sums accrued to the King by reason of any Statute, and

of *March* converted into a Debt, by Judgment, Decree or Sentence: or that have been enfeoffed and any seizure made since the said 25. of *March*, and upon such Seizure, &c. any thing answered to the King since the said 25. of *March*.

XXIII. Yet Obligations and Recognizances forfeited since the 25. of *March* for non-appearance, not keeping the Peace, or breach of the good behaviour are forfeited.

LX. Excepted also Issues, Fines and Amerciaments lost or assessed since the 25th. of *March* 1663. being torted or received to the Kings Use before the last Day of this Session of Parliament.

LXI. Except all Issues, Fines and Amerciaments lost or assessed since the said 25th. of *March*, assessed or estreated above the sum of 6*l*. And all Issues, &c. assessed or entered in any Court holden at *Westminster*, within a Year before the first day of this Session of Parliament. Yet all other Fines, as well as *pro lican*, *in merchandise*, taxed or estreated before that time, and all Issues, &c. extending to or under 6*l*. whether estreated or not, or turned into Debt or not, and not being torted or received by any Officer to the Kings Use before the first day of this Parliament, are Pardoned hereby.

LXII. Yet Estreats of Fines, &c. pardoned and estreated, and now in the Sheriffs Hands, shall be orderly charged in the next Office, that the King may be truly answered such as are not pardoned. Yet Sheriffs and other Accountants shall upon petition have Allowance of such as are pardoned, without paying any

LXIII. This Act shall not extend to any excepted by Name out of the Act of Oblivion, nor those two persons that appeared upon the Scaffold disguised when the late King was murdered: Nor to give any Capacity to take any Office or Employment to persons disabled by that Act: Nor to give Benefit to any, who if after the 1st. of *Septem*. 1660. they exercise any Office or publick Employment, are by the said Act to be as if they were excepted out of the Act by Name. Yet any person so disabled may be chargeable with the Office of Sheriff of any County.

LXIV. Except persons attainted by Act of Parliament or otherwise for Rebellion, levying War, or any such Conspiracy within the Kingdom or other the Kings Dominions, and all persons attainted or outlawed for any Treason, Petit-Treason, Murder, wilful Poyson, or Burglary.

LXV. Except all persons that by any Act of this Parliament have been exiled, or made liable to other Penalties.

LXVI. Except all persons, who after Conviction or Attainder for any Crime have desired to be Transported.

LXVII. Except all persons, who being excepted out of the Act of Oblivion, have any Pains or Penalties imposed on them by any other Act.

LXVII. Except all that on the first day of this Session of Parliament were in Prison in the *Tower*, the Prison of the *Mars*, of the *Fleet*, of the *Outchouse*, or elsewhere, or otherwise, by express direction of his Majesty or Privy Council.

LXVIII. Officers of the Kings Courts may award *Cap. viii.* such persons outlaw'd as are pardoned by this Act, at the *Prize* Suit, and such persons shall sue a *Sci. fa.* against the Parties at such Suit, &c. before this Pardon be allowed them.

LXIX. This Act shall not extend to persons outlawed upon a *Ca. sa.* till Satisfaction or Agreement with the Party in such Suit.

LXX. Persons hereby pardoned may plead the general Issue, and give this Act in Evidence.

LXXI. This Act shall discharge all the Premises intended to be pardoned, as well against all claiming the same under Letters Patents from the King, &c. as against the King himself.

III. Parliament.

I. *The Mirrour of Justices, Cap. 1. Sect. 3. Anno domini primi Monarchæ, Anno Domini.* Parliaments shall be held once a Year, and oftner if need requirre. But note, that this was by the King and Lords only, and in time of Peace.

II. Stat. 4 E. 3. 14. A Parliament shall be holden once a Year, and oftner if need be.

III. Stat. 36 E. 3. 10. A Parliament shall be holden once a Year.

IV. Stat. 5 R. 2. Stat. 2. 4. Every Person and Community having Summons of Parliament shall come thither, in person or by Attorney, or otherwise punished: and if the Sheriff doth not summon them, he shall be likewise amerced, or otherwise punished as hath been used in times past.

V. Stat. 12 R. 2. 12. The levying of the Expences of Knights coming to Parliament shall be made as in times past. And if any Lord or other have purchased Lands or other possession that was wont to be contributory to such Expences, they shall still continue to be so, notwithstanding such purchase.

VI. Stat. 7 H. 4. 15. The Election of the Knights of the Shires shall be as followeth, viz. At the next County, after the delivery of the Writ, Proclamation shall be made in full County of the day and place of the Parliament, and that all there present, as well Suitors summoned as otherwise, shall attend to the Election of the said Knights: and then in full County a free and indissoluble Election shall be made, notwithstanding any Request or Command to the contrary.

For such Choice, the Names of the Parties so chosen (be they present or absent) shall be written in an Indenture under the Seal of them that did chuse them; which Indenture, so sealed, delivered to the said Writ, shall be the Sheriffs Return thereof to the Knights of the Shires: and in such Writs this Clause shall hereafter put, *Et Electionem tuam in pleno Comitatu tuo facias libere & aperte sub Sigillo tuo, Et Sigillis eorum qui electionem interperant, nobis in Cancellaria nostra ad diem & locum brevis tuum certificates indilate.*

VII. Stat. 11 H. 4. 1. Justices of Assize shall have power in their Sessions of Returns made by the Sheriffs contrary to the Statute of 7 H. 4. 15. And if it be found by Inquest that any Sheriff hath made any such Return, he shall forfeit 100 l. to the King, and the Knights so unduly returned shall lose their Writs.

III. Stat. 1 H. 5. 1. All former Statutes made for the Election of Knights of the Shire are confirmed.

X. They shall be resiant in the County for which they are chosen the day of the date of the Writ of Summons; so also shall they be that chuse them - Also Citizens and Burgesses shall be resiant in and free of the Cities and Burroughs for which they are chosen.

II. Stat. 6 H. 6. 1. Knights of the Shires and Sheriffs against whom Inquest of Office for undue Elections are found before the Justices of Assize shall have their Answer, and traverse thereon, and shall not be damnified thereby, until they be duly convicted thereof according to Law.

III. Stat. 8 R. 6. 1. The Clergy called to the Convocation by the Kings Writ, together with their Servants and Familiars, shall be allowed and enjoy such liberty or defence in coming, tarrying, and returning, as the Great Men and Commonalty of the Realm by the Parliament door ought to enjoy.

III. Stat. 8 H. 6. 7. The Election of Knights of the Shire shall be made by the more voices of people dwelling in the County, being each of them Land or Tenements to the yearly value of 40 s. besides Reprife. Also the Knights so chosen shall be resiant in the five Counties.

IV. The Sheriff hath power to examine upon Oath the Chosenmen, how much they may expend by the Year.

XI. If the Sheriff be found by Inquest, and also attainted before the Justices of Assize, to have done contrary to this Act, he shall forfeit 100 l. to the King, and suffer a Years Imprisonment without Bail, and in that Case the Knights so returned shall lose their Writs.

XVI. He that cannot expend 40 s. per annum shall have no voice in the Election of Knights for the Parliament: and hereafter in any Writs issued out for that purpose, mention shall be made of this Statute.

XVII. Stat. 10 H. 6. 2. A Chuser of Knights must be resident, and have Freehold with 40 s. per annum Reprises, within the same County.

XVIII. Stat. 23 H. 6. 11. The Sheriff in the next County Court after he shall have received the Writ for assessing the Knights of Parliament shall make Proclamation, that the Coroners, Chief Constables, Bayliffs, and all others, shall appear at the next County Court, to assess the same Wages, which last County the Sheriff and the other Officers shall be present in proper person, in pain that every one that makes Default shall forfeit 40 s. And then the Sheriff shall in full County assess every Hundred by itself, and every Town in each Hundred by itself: so as the Sum assessed upon all the Hundreds exceeds not the entire Charge of the County; nor that assessed upon all the Towns in each Hundred exceeds not the Sum charged upon the Hundreds in which they be.

XIX. The Sheriff or other Officer which levies more than is appointed shall forfeit 20 l. to the King, and 10 l. to the Plaintiff: For the recovery of which 10 l. the said Plaintiff shall have a *Scire facias*; and if the Defendant make default, or be convicted and is afterward convicted, he shall recover the said 10 l. to his own use, (over and above the said 20 l.) and besides treble Damages for his Costs of Suit.

XX. The Sheriff shall levy the said Assessments as specially may be after they are so assessed, and shall deliver them to the Knights.

XXI. Justices of both Benches, Justices of Assize, Justices of the Peace, have power to hear and determine their own Causes as well at the Suit of the King, as of the Party.

XXII. This Assessment shall not be levied but only where it hath been formerly levied: and hereafter in every County for the levying of such Wages this Act shall be inserted.

XXIII. Stat. 23 H. 6. 15. The Statutes of 1 H. 3. c. 1. and 8 H. 6. 7. shall be kept in all points.

XXIV. The Sheriff, after the Receipt of the Writ, shall deliver a Precept under his Seal to every Mayor and Bayliff, or to the Bayliff or Bayliff where no Mayor is, of the Cities and Burroughs within his Countrey, reciting the Writ, and commanding them, if it be a City, to chuse, by the Citizens of the same City, such Head-Officers shall lawfully return such Precept to the Sheriff by Indenture betwixt them, of such Elections, and the Names of the Citizens and Burgesles so chosen, and thereupon the Sheriff shall make a good return of every such Writ, and of every such Return made by the said Head-Officers.

XXV. If the Sheriff aforesaid do contrary to this Act, or any other formerly made for the Election of Knights, Citizens, and Burgesles, the Sheriff shall incur the pain contained in the Statute.

Stat. 6 H. 8. 9. and besides shall forfeit to the person so chosen and not duly returned, 100 l. more, to be recovered by the person so chosen against the said Sheriff, Executors and Administrators, or (in his default) by any other person; in which Action no Essoin, &c. shall be allowed, and if such Head-officers shall make a false Return, they shall forfeit to the King, and 40 l. more to the person so chosen and not returned, to be recovered by such person, or other Prosecution, in manner aforesaid.

XXVI. The Sheriff that maketh not due Election of Knights, within the Hours of eight and eleven in the Forenoon, and a good and true Return in manner aforesaid, shall incur the pain of 100 l. to the King, and as much to any that will sue for the same.

XXVII. The party grieved shall commence his Action within three Months after the beginning of the Parliament; and, in this case, the Prosecutor may then take it.

XXVIII. If any Knight, Citizen or Burgess returned by the Sheriff be put out, and another put in his place, the person so put out (if he take the place upon him) shall forfeit 100 l. to the King, and as much to the person so put out, who shall have an Action of Debt for the same, if he commence his Suit within three months after the beginning of the Parliament.

XXIX. The Knights of the Shires shall be notable Knights of the County for which they are chosen, or else notable Esquires or Gentlemen born in the same County, and such as are able to be knights; but none shall be such a Knight which standeth in the degree of a Yeoman, or under.

XXX. Stat. 6 H. 8. 16. No Knight, Citizen, Burgess, or any of the Cinque-ports, shall depart from the Parliament without the License of the Speaker and Commons in Parliament assembled, to be entred upon Record in the Clerk of the Parliament's Book, in pain to lose their Wages.

XXXI. Stat. 33 H. 8. 21. The King's Royal Assent by his Letters Patents under the Great Seal, and signed by his Hand, and without his absence to the Lords and Commons assembled in the Parliament House, is, and ever was, of as good Strength and Force as if the King were personally present, and had publickly assented.

XXXII. Stat. 35 H. 8. 11. Whereas Knights and Burgesses in England and Wales have used to have allowed during the Parliaments, and their reasonable Time of coming to and returning from the Parliament, together with their Costs of Writs, and other ordinary Fees and Charges; by Statute it is ordained, that the Sheriffs of all the Twelve Shires in Wales and the County of Denbigh shall have power to levy the said Fees of the Inhabitants of those Shires and Counties, and

and shall pay them to the Knights in two Months. The Knights shall have delivered unto them their Writs *fiodi Militis Parliamenti*, in pain to forfeit twenty pounds to be recovered by Bill, Plaint, &c. and to be divided between the King and the Prosecutors; and for every month that such writ is made after the said two months, twenty pounds more, to be levied as aforesaid: The Head-Officers also of the Cities and Burroughs in the said twelve Shires and County, shall levy and pay their Burgesles Wages and Fees within the like time their Writs *De Solutione fiodi Burgens. Parliam.* delivered unto them upon the like pains, to be levied of the Goods and Chances of the Head-Officers.

XXXIII. The Inhabitants of the Cities and Burroughs in the said Shires and County, which, having no Burgesles of their own, use to contribute towards the Wages of the Burgesles of the Shire-Towns, shall have Warning by Proclamation, or otherwise, from the Head-Officers of the said Towns, to come and give their Voices at the Electing of the Burgesles of such Towns.

XXXIV. Two Justices of Peace in each of the said Shires and Counties have power to tax every City and Burrough in the several Counties where they inhabit respectively, towards the Wages of the Burgesles within the Shire-Towns; which Taxes shall be again rated upon the Inhabitants of each such City and Burrough by four or six discreet and substantial Burgesles there, and be levied and paid by the Head-officers unto the Burgesles of Parliament for the said Shire-Towns, in manner and form aforesaid, and upon the like pains.

XXXV. Stat. 12 Car. 2. Cap. 1. Declared that the Parliament begun the 3d. of November 16 Car. 1. is dissolved, and that the Lords and Commons now sitting are the Two Houses of Parliament, notwithstanding any want of the Kings Writs of Summons, or any other defect.

XXXVI. Stat. 13 Car. 2. Cap. 1. They that shall advise, publish or affirm, that the Parliament begun at Westminster the 3d. of November 1640. is not yet dissolved, or that there lies any obligation upon them or any other from any Engagement or Covenant to endeavour a Change in Church or State, or that either Houses of Parliament have a Legislative power without the King, or words to the same effect, shall incur the Penalty of imprisonment mentioned in a Statute made 16 R. 2. It is hereby declared, That the Solemn League and Covenant was an unlawful Oath, and imposed against the Laws of this Kingdom. All promises of both or either Houses of Parliament for imposing Covenants or Engagements, levying Taxes, and raising Forces or Arms without the Royal Assent, were void, but may be made of according to the Act of Indemnity, 12 Car. 2. Cap. 11.

XVII. None to be prosecuted for these Offences but by Order of the King under the Sign Manual, or of the Council Table, or of the Kings Council learned, nor to incur the penalty thereof, unless prosecuted within six months after the Offence committed, and indicted within Three Months after such prosecution.

XVIII. Offences within this Act must be proved by two Witnesses, who at the Offenders Arraignment must be brought before him Face to Face.

XXIX. A Peer convicted shall be disabled during his life to sit in Parliament, unless the King pardon him. His Pardon shall extend to Peers and Commoners, as if they never had been convicted.

L. Stat. 16 Car. 2. Cap. 1. The sitting and holding of Parliaments shall not be intermitted or discontinued above three years.

LI. Stat. 25 Car. 2. Cap. 9. An Act to enable the County Palatine of Durham to send Knights and Burgesses to serve in Parliament, v. tit. Durham Sect. 14.

LII. Stat. 30 Car. 2. Cap. 1. No Peer shall vote, make Proxy or during any Debate in the House of Peers; nor any Member of the House of Commons vote or sit there after their Speaker hath sworn, till they first take the Oaths of Allegiance and Supremacy, and subscribe and repeat this Declaration between the Hours of ten in the morning and four in the afternoon at the Tables in the House of the said Houses in a full House, in such Order as each House is called over by, viz.

I A. B. do solemnly and sincerely in the presence of God, profess, swear, and declare, that I do believe that in the Sacrament of the Eucharist, there is not any Transubstantiation of the Elements of Bread and Wine into the Body and Blood of Christ, at or after the Consecration thereof, by any person whatsoever, and that the Invocation or Intercession of the Virgin Mary or any other Saint, and the Sacrifice of the Mass, as they are now used in the Church of Rome, are Superstitious and Idolatrous. And I do solemnly in the presence of God profess, swear and declare, that I do make this Declaration and every part thereof in the plain and ordinary sense of the words read unto me, and commonly understood by English Protestants, without any Evasion, Reservation or Mental Reservation whatsoever, and without any Indulgence already granted me for this purpose by the Pope, or any other Person whatsoever, or without any hope of any such Dispensation from any Person or Authority whatsoever, or without thinking myself or can be acquitted before God or Man, or absolved of this Declaration or any part thereof, although the Pope or any other Person or Authority whatsoever should dispense with or annul the same, or that it is null and void from the beginning.

XLIII. Every Peer of this Realm and Member of the House of Peers, and every Peer of Scotland or Ireland of twenty one years of Age or upwards, and every Member of the House of Commons not having taken the said Oaths, and made and subscribed the said Declaration, and all persons convict of Recusancy, that shall remain in the Kings or Queens presence, or come into any House where they reside, shall incur and suffer the penalties in this Act mention'd, unless such person shall in the next Term after take the said Oath and make the said Declaration in the Court of Chancery between the Hours of nine and twelve.

XLIV. Peers and Members of the House of Commons offending against this Act shall be adjudged *Popish* Recusants Convict, and be disabled to hold any Office in *England* or *Ireland*, or any Islands or Plantations to them belonging, or to sit in Parliament, or make a Proxy in the House of Peers, or to prosecute any suit, to be Guardian, Executor or Administrator, or to take any Legacy or Deed of Gift: and for every Offence shall forfeit 500 l. to him that will sue for the same.

XLV. The House of Peers and House of Commons may at any time cause all or any Members of their respective Houses to take the said Oaths, and make and subscribe the said Declaration; and every Peer or Member of the House of Commons presuming to sit in either House, without taking the said Oaths and subscribing the said Declaration, according to such Order, shall be disabled to sit there during that Parliament, or to make a Proxy in the House of Peers.

XLVI. The place of every Member of the House of Commons disabled by this Act to sit there, is hereby declared to be void, and a new Writ shall issue out of Chancery by Warrant from the Speaker and Order of the House of Commons for a New Election.

XLVII. The Kings or Queens sworn Servants not having before the first day of *December* 1678. taken the Oaths and made and subscribed the Declaration contained in the Act of 25 Car. 2. Cap. 2. shall take the Oaths and make the Declaration aforesaid in the Court of Chancery, in the next Term after the said first day of *December*, or after they shall be sworn Servants; or in case of sickness, proved upon Oath and allowed under the Hand of the Lord Chancellor or Keeper, then in the next Term after such Impediment removed. Persons neglecting to do the same, and yet coming in, or remaining in the presence of any King or Queen of this Realm, or coming into any House where they reside, shall suffer all the penalties and disabilities of this Act.

XLVIII. This Act shall not extend to any Natural born Subject of the King of *Portugal*, who is or shall be the Queens Servant, not exceeding nine at once: nor to such Women-Servants of the Queen shall nominate under her Hand and Seal, not exceeding nine at once.

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XX. The said Oaths, Declaration and Subscription, together with a Schedule of their Names that shall take and subscribe them, shall be filed in Parchment Rolls by the Clerks of the House of Lords, House of Commons, and Petty-bag: without any Fee, but only 12d. all which Rolls the said Clerks shall shew to any person without Fee.

L. This Act shall not extend to any person for coming to, or remaining in the Kings or Queens presence, that shall have Licence to do by Warrant of six Privy-Councillors, or Order of Council, so as such Licence exceed not ten days, and be filed in the Petty-bag.

LI. Offenders taking the said Oaths and making the said Declaration after such Offence committed, shall from thenceforth be freed from all penalties as *Popish* Recusants convict by virtue of this Act, and from all disabilities incurred thereby: but not restored to any Office supplied upon voidance by this Act, nor to any other till after one year after the taking the said Oaths, &c. nor discharged of the forfeiture of 500 l.

LII. This Act shall not extend to the Duke of York.

Parson, Vicar, Parsonage, and Vicarage.

I. Stat. 14 E. 3. Stat. 1. 17. Parsons, Vicars, Wardens of Chappels and Provost-Wardens, and Priests of perpetual Chantries, shall have their Writs of *Juris utrum* of Lands and Tenements, Bents and Possessions, annexed and given perpetually in them to Vicarages, Chappels, or Chanteries, and recover by or by the Writs in their case, as far forth as Parsons of Churches and Priests.

II. Stat. 29 Car. 2. Cap. 8. Every Augmentation granted, reserved or agreed to be made payable or so intended since the 1st of June in the twelfth year of the King, or which shall be reserved, &c. to or for the use of any Vicar or Curate by any Ecclesiastical Corporation, person or persons whatsoever, out of any tithes, or any other improper or portion of Tithes, shall continue during the time upon which it was granted, reserved, &c. and after the death of the said Vicars and Curates are hereby adjudged in actual possession thereof to them and their Successors, and shall have recovery thereof by distress or Action of Debt: any disability in the Person or Corporation granting, or in the Vicars and Curates, or in the Statute of Mortmain, &c. notwithstanding.

III. No future Augmentations shall be confirmed hereby, which shall exceed one moiety of the clear yearly value, above Repairs, and other Expence, out of which, &c.

IV. Every Archbishop, Bishop, Dean and Chapter shall before the 29. of September next, cause every Lease or Grant whereon such Augmentation is made to be entred in a Book of Parchment to be kept by their Registers: and every other Ecclesiastical person shall cause every such Lease, &c. made by himself or his Predecessors to be entred there; for which no Fee shall be paid, save only 3. s. at most to the Clerk: Which Entry being examined by the respective Archbishop, Bishop, &c. and by them attested in the said Book to be a true Copy, and that the Augmentation was intended for such use, shall be as a Record, a Copy whereof proved by witnesses, shall be Evidence at Law.

V. Where any Ecclesiastical Corporations or persons on the renewing or granting any Lease or Estate, have made any Agreement for an Augmentation for the Vicar or Curate, which hath been paid, though such Agreement were not expressed in the Lease, &c. they shall cause the substance of such Agreement to be entred in the said Book.

VI. If Questions arise, such favourable constructions and further Remedy shall be had and made for the Benefit of the Vicars, &c. as may be upon the Statutes for Charitable uses.

VII. New Leases without express continuance of the said Augmentations shall be void.

VIII. This Act shall not invalidate a Lease of the 19. of October 1676. made by the Dean and Chapter of York, of the Parsonage and Tithes of Stourton in Nottinghamshire: nor a Lease lately made by the Dean and Chapter of Exon to Arthur Sprey Vicar of the Tithesheaf of the Parish of St. Eval in Cornwall.

Partitions and Parceners.

I. Statutum Hiberniæ, 14 H. 3. If Land descend to several Coparceners, they shall all hold of the chief Lord of the Fee, and not one of another. This is the Usage in England, and shall also be observed in Ireland.

II. *Pierog. Reg.* 5. 17 E. 2. If one Inheritance that is due to the King in Chief descend to many Parceners, all the Parceners shall do Homage to the King, and that Inheritance shall be divided amongst those Heirs, so that every of them after shall hold some part of the King.

III. Stat. 31 H. 8. 1. Joynt-tenants and Tenants in common of any Inheritance in their own Right, or in the right of their Wives, in any Mannors, Land, Tenements or Hereditaments, shall be compelled to make Partition by Writ *De partitione facienda*. Coparceners are compellable to do; and this Writ shall be granted at the Common Law.

Provided, that after such Partition made, they shall have aid and comfort, and of their Heirs, to deraign warranty, and to recover, for the rate as Coparceners use to have.

V. Stat. 32 H. 8. 32. Joynt-Tenants and Tenants in Common, that have Inheritance or Free-hold in any Mannors, Lands, Tenements or Hereditaments, shall be also compellable to make Partition by the said Writ to be pursued upon their Case. Howbeit such Partition shall not be prejudicial to any but the parties to such Partition, their Executors and Assigns.

Passage and Arrivage.

I. Stat. 8 H. 6. 29. Any of the Inhabitants of *Tewkes-bury* in *Co. Gloucester*, may have an Action of Debt (according to the Statute of *Winchester*) to recover against the Commonalty of the Forest of *Dean*, and Hundred of *Bledislow* and *Wislbury*, (though no Commonalty) recompence for Robberies and Wrongs done them upon *Severn*. Also the Goods of any private person may be taken upon an Execution awarded against the Commonalty. Any person may arrest and imprison the Offenders; and he whose Goods are taken in Execution may have an Action of Trespass or Debt against the Offender.

II. Stat. 9 H. 6. 5. All persons shall have free passage in *Severn* with Flotes and Drags, and all other Merchandize, Goods and Charels; and if any be disturbed, he shall have his Remedy by Action at the Common Law.

III. Stat. 19 H. 7. 18. Another stricter Statute for the free passage of *Severn*. See the Statute at large.

IV. Stat. 23 H. 8. 12. None shall interrupt the passage upon the Banks of *Severn*, or take or ask any Tax or Toll for the same, in pain of 40 s. to be divided betwixt the King and the party injured.

V. Stat. 26 H. 8. 5. Justices of Peace in the Counties of *Gloucester* and *Somerset* in Sessions shall bind Keepers of Ferriers over *Severn* by Recognizance with good Sureties, that they shall not transport any Passenger or Cattel out of *England* into *Wales* or the Forest of *Dean*, or from either of those places into *England*, before Sun-rising, or after Sun-set, unless such as they know and will answer for; and besides, the parties so offending shall thereby incur Fine and Imprisonment.

VI. Stat. 2 & 3 P. M. 16. At the first Court of Aldermen in *London* next after the first of *March*, out of the Watermen between *Graveland* and *Windsor* there shall be eight chosen for Overseers, which shall have power to keep good Order amongst the

VII. Two Water-men shall not carry any, but where one of them hath exercised that profession two years before that time, and hath been allowed by the greater part of the said Overseers under the known Seal; in pain to be committed to one of the Courts by the said Overseers for one month, or for less time, as the Offence shall deserve.

VIII. No single man, which is no Householder, nor retained as an Apprentice, or as a Servant for one year at least, shall exercise that profession betwixt the places aforesaid, in pain of like punishment.

IX. The Lord Mayor and Aldermen of London, and the Justices of Peace within the Counties adjoyning to the River of Thames, upon Complaint of any two of the Overseers, or of any Water-mans Master, have power not only to hear and determine any Offences committed against this Act, and to enlarge any Water-man unjustly punished by the said Overseers, but likewise to inflict punishment upon the Overseers themselves, in case they unjustly punish any person by colour of this Act.

X. A Wherry that is not twelve foot and an half long, and four foot and an half broad in the Mid-ship, and sufficient to carry two persons on one side right, shall be forfeit: in which case the King and Queen shall have the one Moiety, and the informer the other.

XI. The Water-man that withdraws himself in time of pressing (it being proved by two Witnesses before the said Mayor, Aldermen, or Justice, and two of the said Overseers) shall suffer three nights Imprisonment, and shall be prohibited to Row any more upon the Thames for a year and a day after.

XII. The Overseers shall not only call the Water-men before them, direct them and register their names, but likewise examine their Boats before they be launched, whether they have due proportion and goodness according to this Act.

XIII. If the Overseers refuse or neglect their Office, they shall forfeit $\frac{1}{2}l$. whereof the King and Queen shall have the one moiety, and the Informer the other.

XIV. The Court of Aldermen shall assess the Rates of Water-men, which, being subscribed by two of the Petty-Council, (at least) shall be set up in Guild-Hall, Westminster-Hall, &c. And the Water-man that takes more than according to the Rate so assessed, shall for every such Offence suffer half a year Imprisonment, and forfeit forty Shillings to be divided before.

XV. Stat. 1 Jac. 16. No Waterman shall retain any Servant or Apprentice, unless he himself hath been an Apprentice to a Water-man by the Space of five years before; and not an Apprentice under the Age of eighteen years, or for less time than seven years; in pain to forfeit for every such Offence ten pounds.

divided betwixt the King and the Prosecutor.

XVI. This Act shall not restrain Water-mens Sons of conveyance Growth and Strength, and formerly trained up in Rowing, but that they be allowed to serve as Apprentices, and to carry Pollenets from place to place, at the Age of sixteen years.

XVII. The Eight Overseers shall yearly, upon the first day of March and the first day of September, cause openly to be read in their Common-Hall all their Orders, made or to be made, in such manner that every of them for every such Default shall forfeit twenty Nobles, to be divided betwixt the King and the Prosecutor.

XVIII. Stat. 21 Jac. 32. The River of Thames shall be made Navigable for Barges, Boats and Lighters, from the Village of Brent in the County of Oxon, unto the University and City of Oxon. See the Statute at large.

Patents.

I. Stat. Reg. Cap. 65. 17 E. 2. The Kings Gift or Grant of Land or Mannor *cum pertinentiis* conveyeth not Knights Fees, Adowsons, or Dowers, without expresse words.

II Stat. 11 R. 2. 8. All Annuities and other things given or granted by the King, his Father or Grandfather, with this Clause, *Quicquid pro Statu suo aliter duxerimus ordinandum*, shall be void, if other things have been afterwards accepted by the Grantees thereof.

III. Stat. 1 H. 4. 6. To the intent that the King might not hereafter be deceived in his Grants, he is content (by the assent of the Lords Spiritual and Temporal, and at the Request of the Commons) to be hereafter concluded by the Wise Men of his Council in things touching the Estate of him and his Realm, saving always his Liberty.

IV. In a Petition to the King for Lands, Annuities, Offices, &c. their value shall be therein expresse; otherwise the Letters Patents thereupon had shall be void.

V. Stat. 18 H. 6. 1. All Letters Patents which bear not date the day of the delivery of the Kings Warrant into the Chancery shall be void.

VI. Stat. 5 H. 8. 15. If any make suit to the King for Lands, Offices, or other things formerly granted to any person during the Kings pleasure, the first Patentee being still in life, the last Grantee shall express in his Petition or Patent the former Patent, and the determination of his pleasure concerning the same, otherwise the last Grant shall be void.

VII. Stat. 34 & 35 H. 8. 21. The King shall hold and enjoy all Honours, Mannors, Lands, and other Hereditaments, which he hath obtained since the fourth of February in the twenty seventh year of his Reign; or shall hereafter obtain within seven years next after the making of this Act, by Bargain, Exchange, or Purchase, notwithstanding any Mis-recital, Non-recital or not naming of the said Honours, &c. or of the places where they lie, or of any part thereof, or any other Matter or Cause whatsoever.

VIII. The right of others is saved, save only for Rents Services and Rents Secks.

IX. All Letters Patents and Grants made by the King since the said 4th. of February, or which shall be hereafter made by him within seven years next after the making of this Act, shall be good notwithstanding any mis-naming, mis-recital, non-recital, not finding of Offices, mis-recital or non-recital of Leases, uncertainly mis-casting, rating or setting forth of the yearly values or rate of the things granted, or of the yearly Rents thereof, want of Assentment and Livery of Seisin, or the mis-naming of the places where the things granted do lie, or of the Tenants or Farmers of them, or any of them.

X. Provided, that (notwithstanding this Act) the Kings Grants of Offices and their Fees for keeping of Castles, Houses, Parks, Chases, Forests, or Block-houses, shall be void, when the cause of exercising such Offices is determined.

XI. Provided also, that this Act shall not extend to revive any Letters Patents or any Office granted by the King, which have been made void by Authority of Parliament, Judgment, Decree, or otherwise.

XII. This Act shall not be prejudicial to any Letters Patents, Indentures or Writings made after the said 4th. of February, and before the 28th. of April, in the twenty eighth year of the Kings Reign, or to any other Statute made for the Corroboration of such Letters Patents, Indentures or Writings.

XIII. Stat. 1 E. 6. 8. Such another Statute made for the confirmation of all Grants made and to be made by E. 6. from the 28th. of January, in the first year of his Reign, and so during his Life, with such provisoes and limitations in the former Act of 34 and 35 H. 8. are contained. See the Statute.

XIV. Stat. 2 E. 6. 3. A Confirmation of the Kings Letters Patents; notwithstanding his Non-age, or any Statute heretofore made for the reservation of Tenures, Rents, or Tenths.

XV. Stat. 4 & 5 P. M. 1. Another like Act made for the confirmation of all Grants made and to be made to or by the Queen, or the King and Queen, from the first of July in the first year of her Reign, and so during her life; with such Provisoes and Limitations as in the said former Acts of H. 8. and E. 6. are contained.

XVI. Stat. 17 E. 2. Another like confirmation of all Grants made to, for, or by the Queen, or to be so made within seven years after the end of this Session, with like provisos and limitations in the former Statutes.

XVII. Stat. 35 El. 3. All Abby-lands which came to the hand of H. 8. shall be adjudged to have been in his actual and legal possession, notwithstanding any defect, want or insufficiency, of or in any Surrender, Grant or Conveyance thereof, or of any part thereof, made to the said King or any other matter or cause whatsoever, whereby he might have been entitled thereto.

XVIII. All Letters Patents made by him (since the fourth of January in the twenty fifth year of his Reign) for the Foundation of any Dean and Chapter, or Colledge shall be adjudged good.

IX. The Right of all others (except of Abbots, Priors, &c.) is saved.

XX. Stat. 43 El. 1. All Grants made to the Queen since the 1. of February in the twenty seventh year of her Reign (except by Ecclesiastical persons, or Bodies Politick; not having power or ability to make such Grants) are confirmed.

XXI. The Right of all others is saved, except of the parties and privies of such Grants.

XXII. All Grants made by the Queen to others since the said time, as also all others that should be made (by force of a Commission then on foot) before the end of this Session, or within one year this, shall be good.

XXIII. The Letters Patents of all such Grants shall be expounded most beneficially to the Patentees, any mis-naming, mis-recital, non-recital, &c. notwithstanding.

XXIV. This Act shall not extend to Letters Patents of Offices, nor of Concealments, except such Concealments only as are sold by Commissioners.

XXV. Neither shall this Act extend to make good any Letters Patents heretofore adjudged void by any Court of Record at *revisum*, or by Act of Parliament; neither yet those of Monopolies for Toleration of any Offence prohibited by any penal Law; nor of Lands where there is an Estate-tail in the Queen; unless such Estate be duly received.

XXVI. Here also the right of others is saved.

XXVII. Stat. 21 Jac. 25. Neither the King, nor any other claiming from, by or under him, shall hereafter take advantage against the Kings Patentees or Tenants for default of payment of Rent, or other duty to be performed; so as the Rent be paid, or such duty performed, before such advantage taken, or any Commission awarded to enquire, or other process shall be issued for such Forfeiture.

Paving.

I. Stat. 22 H. 8. 11. The Street-way between *Charing-Cross* and *Strand-Cross* shall be sufficiently paved at the Charge of the Owners of the Lands adjoyning to the same, and shall also be afterwards repaired by them, in pain to forfeit to the King 12 *l.* for every Yard square not so paved and repaired. And 25 H. 8. the like for *Holborn* and *Southwark*.

* II. Stat. 32 H. 8. 17. All persons having Lands betwixt *Algate* and *White-Chappel-Church*, or in *Chancery-Lane*, *Grays-Inn-Lane*, *Shoe-Lane*, *Fetter-Lane*, or in the way betwixt *Holborn-Bars* and *High-Holborn*, as far as any Houses are there built, shall before the 24th. of June 1342. sufficiently pave so much of the Streets and Lanes aforesaid as are next adjoyning to their said Lands, and continue them in good repair, in pain to forfeit for every Yard square not so paved or repaired, 6 *d.*

III. The Mayor, Aldermen and Justices in *London*, and the Justices of Peace in *Middlesex*, have Power within their respective Jurisdictions to enquire, hear and determine in Sessions the defaults. And in case the said Justices shall be found remiss therein, they shall respectively forfeit 5 *l.*

IV. The Clerk of the Peace in *Middlesex* shall duly cheer into the Exchequer the Fines and Forfeitures happening upon this Act, in pain of 5 *l.* to be divided betwixt the King and the Prosecutor.

V. Any three Justices in *London*, whereof the Mayor is to be one, have power to set Fines upon such as do not pave or repair any Street or Lane in *London* or the Liberties thereof, to be levied by Distress, Plaint or Action, by the Chamberlain, to the use of the Mayor and Commonalty of the said City.

VI. The Inhabitant paving his part in the said Streets or Lanes may defalk so much of his Rent from his Lessor as the Charge thereof shall amount unto, unless it be otherwise agreed betwixt them.

VII. Stat. 35 H. 8. 12. Another like Statute for the paving and repairing of *White-Cross-Street*, *Chefswel-Street*, *Golding-Lane*, *Grub-street*, *Goswel-street*, *Long-Lane*, *Saint-John's-street*, the Screen there leading from the Bars to *Com-Cross*, *Water-Lane* in *Fleet-Street*, the Streets behind *Saint Clements Church* without *Temple-Bar*, the way from the west-Bars in *Tothil-street* in *Westminster* to the West end of *Petit-France*, the way without *Bishop-Gate* above *Shore-Ditch-Church*, *Strand-Bridge*, and the way leading from thence towards *Temple-Bar*, and *Foscut-Lane* leading down to *Strand*.

And (in the said Act) the Justices of Middlesex have power to set Fines upon the Defaulters at their Discretion.

VIII. Stat. 13 El. 23. Another Act of like nature for Paving and keeping in repair the Way without *Algate*, called the *Barr* without *Algate*; another, leading from the *Old-Cage* there to the North-end of *Nightingale-Lane*; and another, between the said *Old-Cage* and *Cross-Mill* in the Parish of *Saint Mary*: the pain for Default being 3 s. 4 d. to the Queen for every Yard square not so paved or repaired. This Act likewise provides for the Scowring and Cleansing of certain Ditches thereabouts.

IX. Stat. 18 Eliz. 19. An Act for the Paving of *Chichester*.

X. Stat. 23 Eliz. 12. Another Act for the Paving of the *Middlesex*, being an additional Act to 13 El. 23. And the Ditch in *Hog-lane* shall be scowred and cleansed by the Owners of the Lands lying to the North-side of the said Lane, in pain to forfeit 6 s. 8 d. for every Pole uncleansed. And by this Act the Justices of Peace in *London* and *Middlesex* shall appoint Scavengers.

XI. Stat. 3 Jac. 22. Another Act for the paving and keeping in repair the Streets in *St. Giles* in the Fields, and *Mury-Lane*.

OF Peace.

I. Stat. 2 E. 2. The Statute of *Winchester* and other Statutes made for the keeping of the Peace shall be duly observed.

II. The Justices assigned shall have power to punish Resisters of the Peace.

III. Stat. 2 R. 2. Peace shall be kept, and Justice and Right duly administered to all persons. See all the Statutes of 1 H. 4. 1. 2 R. 4. 1. and 7 H. 4. 1. to the like effect.

Pensions, Portions, and Corodies.

I. Stat. 34 & 35 H. 8. 19. Pensions, Portions, Corodies, Indemnities, Synodies, Proxies, and all other Profits due out of Religious Lands dissolved, shall be paid to Bishops, Arch-Deacons, and other Ecclesiastical persons, by the Occupiers of the same Lands, if such Ecclesiastical persons were seized thereof within ten years before their Dissolution. And if upon Suit in the Ecclesiastical Court for the same the Defendant be Convicted, the Plaintiff shall recover the Value thereof in Damages.

Damages, together with his Costs of Suit. The like he shall recover at the Common Law, when the Cause is thereby determinable.

II. Provided, That if the King hath demised any of the said Lands with a Covenant to discharge the Tenant of such Charges, that then the party claiming the same shall sue for them in the Court of Augmentations, and not elsewhere.

Perjury.

* I. Stat. 5 El. 9. None shall suborn a witness to give Testimony in any Court of Record concerning any Lands, Goods, Debts or Damages, in pain of 40 l. and if the Offender (being convicted thereof) hath not wherewithal to satisfy the said Forfeiture, he shall suffer six months Imprisonment without Bail, stand upon the Pillory one whole Hour in the same or next Market-Town where the Offence was committed, and be for ever after disabled to give Testimony in any Court of Record, until the Judgment given against him be reversed by Attaint or otherwise.

II. He that commits willfull Perjury shall forfeit twenty pound, suffer six months Imprisonment without Bail, and be ever after disabled to give Evidence, until the Judgment given against him be reversed as aforesaid: And here also, if he hath not wherewithal to discharge the Fine, (in the Country) the Sheriff or (in a Corporation) the Head-Officer shall cause him to be set upon the Pillory in some Market-place, and to have both his Ears nailed.

III. The Forfeitures aforesaid shall be divided betwixt the Queen and the party grieved.

IV. Judges of the Courts where such Offences shall happen to be committed, Justices of Assize, Gaol-delivery, and of Peace, have power to hear and determine the same Offences.

V. This Act shall be proclaimed at every Assize.

VI. This Act shall not extend to any Court Ecclesiastical, but that they may there proceed as in times past.

VII. This Act shall not restrain the power of the Star-Chamber, nor of the Council of Wales, or in the North, to punish heinous Perjuries, but that they may proceed as formerly; so as for the said Offences they inflict no less punishment than by this Statute ordained.

Petition.

I. Stat. 13 Car. 2. Cap. 5. None shall labour or procure the getting of Hands or other Consent of above twenty persons to any Petition, Remonstrance, &c. to the King, or both or either Houses of Parliament for alteration in Church or State, unless by consent and order of three or more Justices of the County, or the Major part of the Grand-Jury of the County or Division where the matter shall arise, at the Assizes or Quarter-Sessions, or, if arising in London, of the Mayor, Aldermen and Commons in Common-Council; nor shall any repair to the King, or both or either Houses of Parliament, to deliver such Petition, &c. with above ten persons at once, upon pain of a penalty not exceeding 100 l. and three months imprisonment. The Offence to be prosecuted at the Kings Bench, Assizes or Quarter-Sessions, within six months after it is committed, and to be proved by two Witnesses.

II. This Act shall not extend to any Address by all or any Members of both or either Houses of Parliament, during the sitting of Parliament.

Physicians and Chirurgeons.

I. Stat. 3 H. 8. 11. None in London, or within seven miles thereof, shall exercise as a Physician or Chirurgeon, except first examined and admitted thereunto by the Bishop of London or Dean of Pauls, calling to him or them for the first Examination four Doctors of Physick, and for Chirurgery other expert persons in that Faculty, and afterward of them that so shall be proved; in pain to forfeit, for every month they exercise Physick or Chirurgery not so examined and admitted, s. l. to be divided betwixt the King and the Prosecutor.

II. In other places, within the said precinct of seven miles, none shall exercise the said Professions, unless examined and approved by the Bishop of the Diocese, or (in his absence) by his Vicar-general, calling to them expert men in those Professions at their discretion, and giving Letters testimonial under their Seal to him they shall so approve, upon the like pain, to be divided as aforesaid.

III. This Act shall not extend to the Universities.

IV. Stat. 5 H. 8. 6. The Chirurgeons of London shall be exempted for bearing the Office of Constable, or any other Office, watching, bearing of Arms, or to serve upon Inquests in London; so that their Incorporation exceed not the number of twelve.

V. This

V. This Act shall also extend to Barber-Chirurgeons approved and admitted according to the Statute of 3 H. 8. 11.

VI. Stat. 14 H. 8. 6. The Kings Charter for the Incorporating of the Colledge of Physicians in *London* (bearing Date the 13. of September in the tenth year of his Reign) is confirmed; the substance whereof is as followeth.

VII. A perpetual Colledge of Physicians is granted and erected in *London*, and within seven Miles compass of the same who shall have power to chuse yearly a President for the better Government of the same; and shall also have perpetual Succession, a common Seal, and ability to purchase Lands, not exceeding 12. *per annum*: They may sue, and be sued, make Ordinances for the Good Government of the Colledge, and of all others that practise Physick within the said Limits. Neither shall any practise Physick within that Circuit, unless approved under the Seal of that Colledge, in pain of 5 *l.* to be divided betwixt the King and the same Colledge. Likewise, four Physicians of *London* shall be yearly chosen to supervise the rest, as also their Medicines and Receipts, so that such as offend may be punished by Fines, Attachments, Imprisonment, or other due means. Lastly, Physicians shall not be put upon Inquests in *London* or elsewhere. However, these Letters Patents shall not be prejudicial to the City of *London*, nor the Liberties thereof.

VIII. There shall be eight of the Colledge called *Elects*, who from amongst themselves shall yearly chuse a President, and as any of the *Elects* fail, (by death or otherwise) others shall be chosen in their places by the Survivors of the same *Elects*.

IX. None shall practise Physick in the Country, without Testimonial of his sufficiency from the President and three of the *Elects* of the same Colledge, unless he be a Graduate in one of the Universities.

X. Stat. 32 H. 8. 40. Physicians are discharged from keeping Warch or Ward, or bearing the Office of Constable, or any other Office, within the City of *London* or the Suburbs thereof.

XI. Four Physicians shall be yearly chosen by the Colledge, and shall have an Oath given them by the President, to search Apothecaries Wares; and if they shall find any of them faulty, shall call to them the Wardens of the Mystery of Apothecaries in *London*, and cause them to be burnt or otherwise destroyed.

XII. No Apothecary shall resist their search, in pain of 5 *l.* to be divided betwixt the King and the Prosecutor.

XIII. If any of the Physicians so chosen refuse to take his Oath, or (after being sworn) refuse to make search once in a year, he shall forfeit 40 *s.*

XIV. Any of the Company of Physicians in *London* may practise Chirurgery.

Stat. 32 H. 8. 42. The Barbers and Chirurgeons of London be made one Company, and incorporated by the Name of the Masters and Governors of the Mystery and Commonalty of Barbers and Chirurgeons of London, and by that Name shall sue, and be sued, purchase Lands, use a Common Seal, and possess the Lands which now the Commonalty of Barbers of London do enjoy, and also all Liberties and Priviledges heretofore granted to either of the said Companies by *E. 4. H. 7.* or this present King. Also such of them as are admitted to the practice of Chirurgery shall be exempt from bearing of Arms, Watches and Inquests. The Company shall likewise have the search, oversight, punishment and Correction of Offences committed against Barbbery or Chirurgery, according to the Statute of *19 H. 7. 7.* (which *see in Ordinances.*) Yet here the right of all others to their Lands is reserved.

XVI. The Chirurgeons may take yearly four condemned persons for Anatomies, without any Suit to the King, or other interruption for the same.

XVII. No Barber in London and within a Miles compass thereof shall use Chirurgery; neither shall any Chirurgeon there use Barbbery or Shaving.

XVIII. Every Chirurgeon in London shall have a Sign at his Door.

XIX. None shall be a Barber in London but a Freeman of that Company.

XX. At the times heretofore accustomed there shall be four Masters or Governours of this Corporation chosen, *viz.* two Chirurgeons and two Barbers, who shall have the search, oversight, punishment and Correction of all Defaults and Inconveniences touching of those Professions within the Circuits aforesaid.

XXI. The Barber or Chirurgeon offending in any of the Articles, shall for every Month so offending forfeit *5 l.* to be divided between the King and the Prosecutor.

XXII. Howbeit the Chirurgeons and Barbers in London shall pay Rent and Lot, as in former times. And any person may keep a Barber or Chirurgeon in his House, as his Servant, notwithstanding this Statute.

XXIII. Stat. 34 & 35 H. 8. 8. It shall be Lawful for any person having Knowledge and Experience of the Nature of Warts, Boles and Waters, to practise and minister to any outward Sore, Ulcer, Wound, Apostumation, outward Swelling or Discale, by the use of Herbs, Ointment, Baths, Poultices and Emplastors, according to their knowledge of the said Maladies or the like, as also Drinks for the Stone, Strangury, or Agues, without Suit, Penalty, or Loss, the Statute of *3 H. 8. 11.* or any other Statute notwithstanding.

XXIV. Stat. 1 M. Parl. 1. Sess. 2. Cap. 9. The Statute of *4 H. 8. 5.* is confirmed.

XXV. When

XXV. When the President or Commonalty of the University of Physick in London, or others Authorized (by 14 H. 8. 5.) to search and punish Offenders, shall send or commit any such Offender to any Prison. (except the Tower) the Warden, Gaoler or Keeper thereof shall receive, and there safely keep such Offender without Bail, until he shall be thence discharged by the said President, or others authorized as aforesaid, in pain to forfeit double the penalty of the Offender, to be recovered by an Action of Debt, and divided betwixt the Queen and the said President and Colledge.

XXVI. If the Wardens of the Apothecaries, (in this Statute called the Wardens of the Grocers) or one of them, do not immediately upon Call go with the President or four of the *Elders*, (appointed to search the Apothecaries Wares, according to the Statute of 32 H. 8. 40.) the said President or four *Elders* shall do it without them, as also destroy such Wares as they shall find faulty; and none shall resist such search, in pain of 10 l. to be recovered in form aforesaid.

XXVII. Justices of Peace, Mayors, Sheriffs, Bayliffs, Constables and other Officers, shall assist the said President, and all persons authorized by the said Colledge, for the due Execution of the said Laws and Statutes, in pain to run in contempt of the Queen, her Heirs and Successors.

Plague.

* I. Stat. 1 Jac. 31. The Mayor, Bayliffs, Head-Officers and Justices of Peace in a Corporation, or any two of them, have power to tax the Inhabitants there towards the Relief of such as are infected with the Plague, and to make Warrant under their Hands and Seals for any person to levy the said Tax upon the Goods of such as shall refuse or neglect to pay the same; and in case no goods can be found to satisfie the Tax, upon the Parties refusal thereof, to commit him to prison, there to remain until the Tax be satisfied.

II. If the Corporation be not able to relieve the persons infected, upon Certificate thereof to the Justices of Peace of the County thereunto adjoining, or any two of them, by the said Mayor and Justices of the Town, or any two of them, the said Justices of the County shall have like power to tax, levy, and imprison aforesaid, within five miles distance of the said Corporation.

III. In Towns and places Corporate where there are no Justices, and in the Country, two Justices of Peace of the County shall tax, levy, and imprison, as aforesaid, within five miles distance of the Town or place so infected,

Taxes shall be certified in at the next Quarter-Session of the Corporation or County respectively, and shall there be paid by the Justices there, or the more part of them, shall be thought fit.

The Constable or other Officer which willfully neglects to levy the Tax upon a Warrant, as aforesaid, shall forfeit for every default 10 s. to be employed upon the Charitable uses aforesaid.

If any infected person residing in an infected House (as often mentioned by a Justice or other Officer) presume to come forth, the Watch-men may resist him; and if any hurt happen thereupon, the Watch-men shall not be impeached therefore.

If any person having a Sore upon him go abroad, and come into a Company, he shall suffer as a Felon; but if he have no Sore, he shall be openly punished as a Vagabond, according to the Statute of 20 El. 2. (which see in Vagabonds.)

No Attainder of Felony by virtue of this Act shall extend to corruption of Blood, or forfeiture of Goods or Lands.

It shall be lawful for the Justices of Peace and Head-Officers, Searchers, Watch-men, Examiners, Keepers, and Surveyors, and to minister unto them Oaths for the due performing of their Offices, and to give them such other directions as in their discretion shall be thought fit.

Justices of Peace or Head-Officers shall not (by force of this Act) meddle in the Universities, Cathedral Churches, or Colleges.

Plays and Games.

Statute 23 H. 8. 9. Parents and Masters shall provide for each of their Sons and Male-Servants (betwixt the Age of seven and sixteen) a Bow and two Shafts, and cause them to exercise therein, in pain of 6 s. 8 d.

Sons and Male-Servants (betwixt the Ages of seventeen and twenty) shall be furnished with a Bow and two Arrows, and practise therein, in pain of 6 s. 8 d.

None under the Age of twenty four years shall shoot at any Mark, (except at Rovers, changing his Mark every shoot) more than 4 d. a shoot; and none above that Age shall shoot at more than eleven score distance, or under, in pain of 6 s. 8 d.

None under the Age of seventeen years shall shoot with a Bow or Yew, except his Parents be worth 10 l. per annum in Land or any Marks in Goods, in pain of 6 s. 8 d. a shoot.

The Inhabitants of every Town shall continue their Butts in good repair, in pain of 20 s. for every five Months default.

VI. For every Bow made of Yew, the Mayor or Alderman of London or the Suburbs thereof shall make Fine, and the same shall be paid there two Bows of other Wood, in pain to forfeit for every such Bow un-made, 3 s. 4 d.

VII. Fletchers of London shall sell seasonable Timber to Foreign Fletchers without prejudice.

VIII. Artificers of Archery (not Free-men, nor paying Rent and Lot) shall remove their abode from London and the Suburbs thereof to what other place they shall be assigned by his Majesty's Council, the Lord Chancellor, Treasurer, Privy-Seal, or one of them, in pain of 40 s. for every day they make their abode contrary to this Act.

IX. Aliens shall not convey Bows and Arrows out of the Realm without his Majesties License, in pain of Imprisonment without Bail until they shall make Fine to the King, to be set by (at least) two Justices in Sessions, and give Security for the same; and shall they use shooting, in pain to forfeit their Bows and Arrows, to be taken from them by any of the Kings Subjects.

X. Justices of Assize, Gaol-delivery and Peace, in Sessions, and Stewards in Leets, shall hear and determine the Breaches of this Act.

XI. The one moiety of all these Forfeitures is given to the Prosecutor; and the other, where there is no Leet, is given to the King; and where there is a Leet, to the Lord of that Leet.

XII. None shall keep or maintain any House or Place of unlawful Games, in pain of 40 s. and none shall use or haunt such place, in pain of 6 s. 8 d.

XIII. In every Placard to keep common Gaming, the Game here to be used shall be inserted, as also the persons who shall be thereat; and every Placard otherwise granted shall be void. The Grantee also of such a Placard shall be bound by Recognizance in the Chancery with good Sureties, not to use it contrary to the Form thereof.

XIV. It shall be lawful for Justices of Peace in every County, and for Head-officers in Corporations, as well within the Cities as without, to enter and resort into all such Houses and places where such unlawful Games are suspected to be used, and to arrest the Keepers thereof as the Resorters thereunto to arrest and imprison, until they shall severally give good Security, at the discretion of the said Justices or Officers, not to keep such Games any more.

XV. Every Mayor, Sheriff, Bayliff, Constable and other Head Officer, within every City, Burrough or Town, shall make Search, as aforesaid, once every month at least, in pain to forfeit 48 s. for every such default.

XVI. No Artificer or his Journey-man, no Husbandman, Apprentice, Labourer, Servant at Husbandry, Mariner, Fisherman, Water-man, or Serving-man, shall play at Tables, Tennis,

Bowls, Golf, Coyding, Logging, or any other Game, out of Christmas, or shut out of their Masters Presence, in pain of twenty Shillings. And none shall shut bowls in open places out of his Garden or Orchard, in pain of 10 s.

XVI. All Informations or Suits upon this Statute shall be prosecuted within one year; and the Forfeitures thereof which happen within a Lect or Liberty shall be divided betwixt the King and the Lord thereof, and in all other places betwixt the King and the Pro-
prietor.

XVII. Proclamation of this Act shall be made quarterly in every Market-Town, as also at every Gaol-delivery, Assize, and

XVIII. This Act shall not restrain a Servant (by his Masters LI-
cense) to play at Cards, Dice, or Tables, with the Master himself, or other Gentlemen resorting to his Masters House. And if the Master hath Free-hold of 100 l. per annum, he may also License his Servant to play at Bowls or Tennis.

Stat. 2 & 3 P. & M. 9. All Licenses to keep Houses or Places for unlawful Games, shall be void.

Stat. 16 Car. 2. Cap. 7. They that by Fraud or ill Practice are playing at Cards, Dice, Tables, Tennis, Bowls, Kittles, Back-board, or in Cock-fightings, Horse-Races, Dog-Matches, Foot-Races, or other Pastimes or Games, or by bearing a part in Stakes, Wages or Adventures, or by betting on the sides of any Play, Act, Ride, &c. acquire to themselves or others Money or things of Value, shall *ipso facto* forfeit the Treble Value; one half to the King, the other to the Loser, prosecuting within six Calendar Months, and in default of such Prosecution, that Mole-
stator that will sue within a year after the six months expired.

Stat. If any persons play at the said Games or other Pastime, (either for ready Money) or bet on other sides, and shall lose any Sum of Money, or other things exceeding 100 l. or one third part of Money, or other things exceeding 100 l. or one third part of Money, they shall not be compelled to make good the same. All Contracts and all Securities for the same shall be void. The Winner winning the same, shall forfeit the treble value of such Money or other things won above 100 l. one half to the King, the other to the Prosecutor suing within a year.

Stat. Plaintiffs and Informers upon this Statute shall recover

Costs.

Stage-Plays.

I. Stat. 3 Jac. 1. None shall in any Stage-play, Shew, game or Pageant, profanely use the Name of God, Christ, Iesus, the Holy Ghost or Trinity, in pain of 10 l. to be divided between the King and the Prosecutor.

Pleading and Pleadings.

I. Stat. 36 E. 3. 15. All Pleas which shall be pleaded in any Court whatsoever within the Realm shall be pleaded, shewed, defended, answered, debated and judged in the *English* Tongue, entered and inrolled in *Latin*. Howbeit the Laws and Customs of this Realm, as also the Terms and Processes, shall be holden and kept as before this time hath been used.

II. Stat. 12 Car. 2. Cap. 3. One pretended Act made in 1650, for turning the Law into *English*, shall be in force, as if it had been a good Act from the first Return in *Easter* Term, 1651. till the first of *August* 1660, and no longer.

Pleas of the Crown.

I. Magna Charta 17. 9 H. 3. No Sheriff, Constable, Chancellor, Coroner, or any other of our Bayliffs, shall hold Pleas of the Crown.

Plumstead-Marsh.

I. Divers Statutes have been made for the winning and loss of Plumstead-Marsh, viz. 22 H. 8. 3. 14 Eliz. not printed, 23 J. 13. and 27 El. 27. See them at large.

Poor People.

I. Stat. 11 H. 7. 12. Every Poor Person, having an Action, shall have Original Writs and Subpœna's gratis, before the Judge or Judges of the Court where the Suit depends, and before him Council and Attorney, who are thereby enjoyned to assist his Business without Fees.

* II. Stat. 43 El. 2. The Church-Warden of every Parish, and four, three, or two Householdiers there, (according to the Greatness of the Parish) to be nominated yearly in *Easter* week, or within one month after, under the Hands and Seals of two Justices of Peace, (1. Qu.) shall be called *Overseers* of the Poor of the same Parish.

III. These Overseers, or the greater part of them, shall (with the consent of two such Justices) for the setting out People to work, and for raising (by Taxation) a conveyance to work upon, to relieve impotent persons, to put forth apprentices, and to perform all other things concerning the Pre-

IV. These Officers or such of them as shall not be let by some excuse, (to be allowed by two such Justices) shall meet monthly in the Church upon Sunday after Evening Prayer, and there consider of some meet direction in the premises; and shall within ten days after the End of their year, and other overseers nominated, yield up a true Account to two such Justices, pay the sum thereof to their Successors, and use all possible diligence in the Office, in pain to forfeit for every such Default 20 s.

V. Where the Inhabitants of any Parish are not able to relieve themselves, two such Justices may tax other Parishes and Places, and the whole Hundred also, (if need require;) and where the whole Hundred is not able; Justices of Peace in Sessions may tax the County in part, or wholly, at their discretions.

VI. It shall be lawful for the said Officers, upon Warrant from such Justices, to levy such Tax or Surplusage by distress and sale of Goods: and in default of distress, two of the said Justices have Power to commit the party to Prison, there to remain until he be discharged; and also to commit persons which refuse to work to the House of Correction.

VII. The said Officers, or the greater part of them, with the Assent of two Justices of Peace, may bind poor Children Apprentices, viz. a Man-child till twenty four years of Age, and a Woman-child till twenty one years, or Marriage.

VIII. The said Officers shall, (with the consent of the Lord of the Manor first obtained in Writing under his Hand and Seal) erect themselves, or by virtue of a Sessions-order, erect Cottages upon the Waste, and lodge In-mates therein, notwithstanding the Statute of 31 El. 7. But those Cottages shall not be afterwards otherwise employed than to lodge Impotent persons therein, upon pain mentioned in the said Statute of 31 El.

IX. Justices of Peace in Sessions shall rectifie unjust Taxes, and the Order therein shall be binding to all Parties.

X. The Father, Grandfather, Mother, Grandmother and Child of every poor person shall be assessed towards their relief, as the Justices of Peace in Sessions of the County where such Person dwells, shall limit and appoint, in pain to forfeit 20 s.

XI. Officers in Corporate Towns, and Aldermen of London, have in their severall Precincts like Authority that Justices of Peace have in the Counties; which said Justices are not to intermeddle in Corporations for the Execution of this Law.

XII. When one Parish extends into several Counties or Divisions, the Justices or Head-officers shall only intermeddle with their respective Limits; but the Church-wardens and Overseers have mixt Jurisdiction, and shall render Account (as aforesaid) to Justices or Head-officers of both places.

XIII. If it happen Overseers not to be appointed according to this Statute, every Justice of Peace or Head-officer of that Division or Corporation shall forfeit 5*l.* to be levied by a Sessions-Warrant and employed to the use of the Poor of the Parishes where such default is made.

XIV. The forfeiture of this Statute shall be employed to the use of the Poor, and levied by distress and commitment, as is said.

XV. Justices of Peace of every County and Corporation, in the most part of them, at Easter-Session, shall yearly (or as often as they shall think fit) rate every Parish at a certain Sum, to be paid weekly; but so as no Parish may pay more than six pence less than a half-penny; and one Parish considered with another above two pence, through the whole County or Corporation, which Sum so rated, the Church-wardens and Constables of every Parish, or any of them, (or in their default a Justice of Peace) have power to assess and levy by distress, sale and commitment, as is said.

XVI. Justices of Peace shall then likewise rate every Parish towards the relief of the *Kings Bench* and *Marshalsey*, and also of the Hospitals and Alms-houses situate within their several Jurisdictions, pointing only so much to the said Hospitals and Alms-houses, as the *Kings Bench* and *Marshalsey* may each of them receive 20*s.* yearly out of every County. And the Sums thus to be rated upon every Parish, the Church-wardens there shall collect and levy as before, and pay them over quarterly to the High-Constable of that respective Division ten days before every Quarter-Session, and the High Constables shall every Quarter-Session pay the same over to the two Treasurers of the County, or one of them, yearly chosen by the more part of the Justices of Peace out of the Subsidy-men as were taxed in the last tax of Subsidies at 4*l.* or 10*l.* Goods: which Treasurers so chosen shall yearly at the Sessions render a true Account to their Successors, and pay the moneys in their hands to the Lord Chief Justice, of the King's Bench and the Knight-Marshal by equal portions. And here the Church-warden or his Executors, &c. which fails in payment to the High-Constable, shall forfeit 10*s.* and the High-Constable or his Executors, &c. which fails in payment to the Treasurers, shall forfeit 20*s.* to be levied and employed by the said Treasurers as aforesaid.

XVII. The Stock of every County shall be ordered and disposed to charitable uses, as the Justices, or the more part of them, shall think convenient.

The Trustee that refuseth to execute his Office, to dis-
believe, or to Account, as the most part of the Justices
shall be fined by the same Justices, or (in their default)
Judges of Assize, three pounds at least; which Fine shall
be paid by sale of Goods, upon the prosecution of any two Ju-
stices authorized by the rest.

A Provision for the Islands of Feolness in Effix.

Upon an Action brought for the due Execution of this Act,
the Defendant may plead the General Issue, and yet give special
Evidence, and shall also recover treble Damages, and
Costs of Suit.

Stat. 7 Jac. 3. Money given to put out poor Children
 Apprentices, shall be employed In Corporate-Towns by the Cor-
poration, and in other places by the Parson or Vicar, together
with the Constables, Church-wardens and Overseers of the Poor,
the most part of them, who shall not forbear or refuse to employ
the same accordingly, in pain to forfeit five Marks each of them so
in default, to be divided betwixt the poor of the Parish and
the Collector.

The party giving Money with such an Apprentice shall
give good Security, by Obligation to repay it at the end of seven
years ensuing the Date of the said Obligation, or within three
years next after the end of the said seven years: and if such Ap-
prentice shall die within the seven years, then within one year af-
ter his or her death; and if the Master, Mistress or Dame, happen
to die within the seven years, then within one year after their death,
the Money may be employed in placing the Apprentice with
another of the same Trade, to serve out his time, at the discre-
tion of the parties trusted, as aforesaid.

The Money so given shall be employed within three
years after the Receipt thereof; and if there shall not be apt
found to be Apprentices in the places where it is given, it
shall be employed in the Parishes next adjoining by the parties that
were trusted with it in the places where it was so given; and there-
of shall be taken, as before is declared.

The choice of Apprentices shall be out of the poorest
Children, whose Parents are the least able to relieve them;
and such Apprentice shall be above the age of fifteen years when
he is first bound.

The parties so trusted shall yearly in Easter-week, or
one Month after, account before two or more of the
Justices of Peace. And if there be any Obligations or
debts remaining in their Hands, they shall upon such Ac-
count (or within ten days after) deliver the same unto their Suc-
cessors.

If any Officer so trusted shall break the Trust repo-
sited in him, mis-employ the said Money, or do any thing con-
trary to this Act, for which he cannot be punished by this Act,

The Lord Chancellor or Keeper shall, upon the Petition of the Justices, award a Commission to such as he shall think fit, to inquire, hear and determine such Offences: And if the Commissioners shall find Money so mis-employed, they shall, in case the Corporate, have power to rate, raise and collect it upon the parties so offending; or otherwise, upon the able Inhabitants of the City, Town or Parish so in default, as the said Commissioners, by the greatest part of them shall think fit; and shall return the said Commission, together with the manner of Executing the same, into the Chancery within three months next after such Execution thereof.

XXVII. Stat. 1 Jac. 23. All persons to whom the Overseers of the Poor shall (according to the Statute of 43 El. 2.) send any poor Children Apprentices, may take, receive and keep such Apprentices. *See also the same continued and confirmed by 21 Jac. 28. and 3 Car. 4.*

XXIX. The Church-Wardens and Overseers of the Poor (as is directed in the Statute of 43 El. 2.) may, with the consent of two or more Justices of the Peace, (one of the *Quorum*) within their respective Limits whereof there shall be more Justices of the Peace than one; and where no more shall be than one, with the consent of that one Justice, set up, use and occupy any Trade, Millery or Occupation, only for the setting on work and better relief of the poor of the Parish or place where they so be, and respectively.

XXX. Stat. 13 & 14 Car. 2. Cap. 12. Upon compliance by the Church-wardens and Overseers of the Poor to any Justice of Peace within forty days after any poor person cometh to settle in a Tenement under 10 *l. per annum*, two Justices of Peace, one of one to be of the *Quorum*, may by Warrant remove such person to the Parish where they were last legally settled forty days; unless they give Security to be allowed by the said Justice for discharge of the Parish: persons aggrieved may appeal to the Quarter-Sessions.

XXXI. But Persons having a Certificate from the Minister of the Parish and one Church-warden, and one Overseer of the Poor, setting them Inhabitants there, may go into any Parish to work, and the non-returning of such Persons, when their work is finished, or falling sick whilst they are at work, shall not be accounted a Breach of their Settlement: If any return to the Parish from whence they were removed, a Justice of Peace may send them to the House of Correction, to be punished as Vagabonds, or to a publick Work-house to be employed in Labour: and if the Church-wardens and Overseers of any Parish to which any are removed, refuse to receive them and provide them Work, &c. a Justice of Peace may send such Officers to the Assizes or Sessions.

XXXII. There shall be one or more Corporation or Companies of Tradesmen, Work-house or Work-houses in the Towns and parishes

...mentioned in the weekly Bills of Mortality, consisting of the President, Deputy and Treasurer: The Mayor of London to be President of the Corporations in London, and the Assistants to be Aldermen and fifty two Citizens chosen by the Common Council. The President and Major part of the Assistants may Choose a Deputy-President, and Treasurer and other necessary Officers, hereby authorized to Execute the Powers in this Act. A President, Deputy-President, and Treasurer and Assistants shall be appointed by the Chancellor of England of persons inhabiting in London, for the Corporations thereof.

XXXIII. For other places within the Bills of Mortality in Middlesex and Surrey, the Justices of Peace in their Quarter-Sessions shall chuse such Officers out of the Inhabitants of the said Counties respectively, and take an Account of their Receipts and Disbursements, and how many Poor were employed the Year last past: Every of the said Corporations may without Licence in Mortmain purchase Lands not exceeding 3000 l. per Ann. and any Goods whatsoever. Each Corporation or seven of them may keep Courts for these purposes, when and where the President, his Deputy or the Treasurer shall appoint, at the Request of any four of the Corporation, and may appoint a Common Seal.

XXXIV. The President and Governours of the said Corporations, or any two of them, or any appointed by them, may apprehend Rogues, Vagrants, Sturdy Beggars, or disorderly persons, and cause them to be set to work in the several Work-houses.

XXXV. If the President and Governours of any the said Corporations certify under their Common Seal, their Want of a Stock to finish the Work, or supply it for the Future, to the Common Council of the City of London, the Burgesses and Justices of Peace of Westminster, or the Justices of Peace of Middlesex and Surrey in their Quarter-Sessions, they shall ascertain such sums not exceeding one years Rate usually set upon, due for Relief of the Poor, and proportion the same upon the several Divisions as they think fit: And the Aldermen, Deputies, and Common-Council-men of every Ward in London, and Burgesses and Justices of Peace of Westminster, and Justices of Peace of Middlesex and Surrey may for the several Precincts tax the Inhabitants. Persons aggrieved may complain to the next open Sessions, who shall take Order therein.

XXXVI. Any Alderman of London or his Deputy, the Burgesses and Justices of Peace of Westminster or two of them, or two Justices of Peace of Middlesex and Surrey under Hand and Seal may authorize the Church-wardens or Overseers to gather such Money and for want of Payment within ten days after demand or Notice left in Writing at any persons House, to levy the same by Sale of Goods.

XXXVII. The

XXXVII. The respective President and Governours may make By-Laws (to be presented to and allowed by the Justices of Peace in their Quarter-Sessions) for the regulating, settling the Poor to work, and punishing Vagabonds and Beggers. The President and Governours, or any fourteen of them, may choose Officers to be employed about the Premises, and reward them as they see cause, and make reasonable Allowances to them out of the Stock. All Ministers of Justice shall be aiding and assisting towards the Execution of this Act.

XXXVIII. If Constables, Head-burroughs, or Tything-men die or go out of the Parish, two Justices of Peace may swear others, till the Lord of the Mannor hold a Court-Leet, or till the next Quarter-Sessions: who shall approve of them, or appoint others; and if any Officers continue above a year, the Justices of Peace may discharge them and put in others, till the Lord of the Mannor hold a Court.

XXXIX. Any Justice of Peace to whom any Rogue, Vagabond, &c. apprehended shall be brought, may reward those that apprehend them, by granting them a Warrant under Hand and Seal of the Constable, Head-burrough, or Tything-man, of such Parishes where such Vagabond, &c. passed thorough unapprehended, and such person two Shillings for every Vagabond, &c. apprehended, in pain of being proceeded against according to the Statutes of 22. and 1 Jac. Cap. 1. and out of the Money forfeited upon the Statute of 1 Jac. may allow the said two Shillings.

XL. They that apprehend Vagabonds, &c. at the Confiners of a County, which passed through any Parish in another County unapprehended, may go to a Justice of Peace of that County, who upon Certificate from some Justice of Peace of the County where such Rogue, &c. was apprehended, may grant such Warrants as aforesaid: And in case of refusal, may cause such Constable to pay to such persons 10 s. or so much thereof for their Expenses and loss of time, as he thinks fit; which he hath forfeited by 39 Eliz.

XLI. Constables, Head-burroughs, and Tything-men out of their Purse for conveying Vagabonds, &c. to Houses of Correction or Work Houses, they, the Church-Wardens and overseers of the Poor, and other Inhabitants in the Parish may tax all charges by the 43 Eliz. Cap. 2. which rate being confirmed under Hand and Seal by two Justices of Peace, the said Constables, &c. by Warrant under Hand and Seal of two Justices may levy it by distress and sale of Goods.

XLII. Church-Wardens and Overseers for the Poor where any Bastard-Child shall be born, may seize so much of the Goods and Profits of the Lands of the Putative Father and Lewd Mother, as two Justices of Peace shall order towards discharge of the Parish to be confirmed at the Sessions: who may make an Order for the Church-Wardens, &c. to dispose of the Goods by sale or otherwise.

and receive the Profits of so much of their
as be ordered by the Sessions.

Persons sued for what they do in Execution of this Act,
the General Issue, and give the special Matter in Evi-
dence, and shall have treble Costs, if the Verdict be for them, or
the Plaintiff be non-suit or discontinue.

XXV. The Poor in every Township or Village in *Lancashire*,
Cheshire, *Darbyshire*, *Yorkshire*, *Northumberland*, *Bishoprick of Dur-*
ham, *Cumberland* and *Westmorland* shall be provided for in the Town-
ship or Village where they inhabit, or were last legally settled :
and one or more Overseers shall be chosen in every Township, &c.
who shall Execute all powers for the Relief of the Poor under the
Provisions mentioned in 43 *Elix. Cap. 2.*

XXVI. Justices of Peace in the said Counties shall Execute all
the Acts in every Township, as is appointed for them to Execute
in any Parish by 43 *Elix.* and under the like Penalties for non-
performance.

XXVII. Justices of Peace in their Quarter-Sessions may cause to
be transported Rogues, &c. duly convicted, and adjudged incorri-
gible, to *English Plantations* beyond Sea.

XXVIII. The Rights of the Dean and Chapter of the Collegiate
Church of Saint Peter in *Westminster* saved. This Act to continue
to the End of the first Session of the next Parliament and
whenever, except what concerns the Corporations constituted
thereto.

XXIX. Stat. 22 & 23 *Car. 2. Cap. 18.* The Officers of the
Corporations Erected and Constituted in pursuance of the Act of
14 *Car. 1. Cap. 12.* shall make quarterly Accounts to the Justices
of Peace, and are not to raise any more Money upon new Certifi-
cates, till there be a just Account given to, and allowed by the Ju-
stices of Peace aforesaid.

XXX. Debts contracted for the Uses expressed in the said Act,
shall upon Order from the Justices aforesaid be discharged by the
respective Treasurers, and allowed in their Accounts.

XXXI. No Sums to be levied upon any of the said respective Pa-
rishes shall in one year exceed the fourth part of the Assessment
of the Poor for that year : which Sums shall be paid at two several
times to the Treasurers, *viz.* at *Michael* and the *Annunciation*,
within fourteen days after.

XXXII. No Assessment shall be laid on any of the Parishes aforesaid
after the 29th of September 1673.

XXXIII. Nothing herein contained shall alter or vacate any of the
Provisions given by the former Act to the Lord Mayor and Governors
of the Corporation within *London*, or the Parish of *St. Margaret's*
within *London*.

XXXIV. Stat. 22 & 23 *Car. 2. Cap. 17.* An Act for the
Discovery of such as have defrauded the Poor of the City of *Lon-*
don, of the Moneys given for their Relief, at the times of the
late

late Plague and Fire, and for recovery of the Arrears thereof.
The Statute at Large.

Post-Office.

I. Stat. 12 Car. 2. Cap. 33. There shall be one General Letter Office in London, the Master to be appointed by the Kings Letters Patents. None but he and his Agents and their Servants shall have the receiving, and sending, and delivering of all Letters and Pacquets, except Letters sent by Cosches, Carriers, Letters of Merchants and Masters, by Masters of any Vessel of Merchandize or others imployed by them, and Letters sent by Friends and Neighbors sent on purpose, and except Messengers carrying proceedings out of any Court, or Affidavits.

II. None but such Post-Master-General, &c. shall provide Horses for thorough Posts and Persons riding Post in Post-Roads, that are or shall be in England, Scotland and Ireland.

III. The Rates shall be as follow, viz. For the Port of a Letter not exceeding one Sheet to or from any place not above eighty miles distant, 2 d. not exceeding two Sheets, 4 d. for Pacquets proportionably: For other Pacquets 8 d. per ounce; For a Letter not exceeding one Sheet above eighty miles, 3 d. not exceeding two Sheets, 6 d. Pacquets of Letters proportionably. Other Pacquets 12 d. per Ounce. For a Letter not exceeding one Sheet from London to *Bermick*, or back, 3 d. not exceeding two Sheets, 6 d. Pacquets of Letters proportionably: other Pacquets 1 s. 6 d. per Ounce. For a Letter from *Bermick* within forty miles distance, 2 d. not exceeding two Sheets, 4 d. Pacquets of Letters proportionably: Other Pacquets 8 d. per Ounce. For a Letter not exceeding one Sheet to a further distance, 4 d. not exceeding two Sheets, 8 d. Pacquets of Letters proportionably: Other Pacquets 1 s. per Ounce. For a Letter not exceeding one Sheet from England to *Dublin* or back, 6 d. not exceeding two Sheets, 1 s. Pacquets of Letters proportionably: Other Pacquets 1 s. per Ounce. For a Letter not exceeding one Sheet to or from any place within forty miles of *Dublin*, 2 d. not exceeding two Sheets, 4 d. Pacquets of Letters proportionably: other Pacquets 1 s. 4 d. per Ounce. For a Letter not exceeding one Sheet further than forty miles, 4 d. not exceeding two Sheets, 8 d. Pacquets of Letters proportionably: other Pacquets 1 s. per Ounce.

Malais, St. Maloes, Caen,	} Single,	6d.	
and places of like di-		Double,	12d.
rect, Port paid to Roan is,		Treble,	18d.
		Ounce,	18d.

Single,	6d.
Double,	12d.
Treble,	18d.
Ounce,	18d.

Amberg, Colen, Frankford, as sold to Antwerp, is	{	Single,	8 <i>l</i>
		Double,	16 <i>l</i>
		Treble,	24 <i>l</i>
		Ounce,	24 <i>l</i>

Single,	9d
Double,	1s. 6d.
Treble,	2s. 3d.
Ounce,	2s. 8d.

Single,	1 s.
Double,	2 s.
Three fourths of an ounce,	15. 9 d.
Ounce,	31. 9 d.

Letters brought from the places into <i>England</i> ,	{	Single,	8 s.
		Double,	15. 4 d.
		Treble,	2 s.
		Ounce,	2 s.

Letters brought into Eng- land from Calais, Diepe, Bolon, Amiens, St. Omers, Amiens;	Single, Double, Treble, Ounce,	44 34 14 14
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Single,	62
Double,	128
Treble,	128
Ounce,	128

Eleborn, Rome,	} Single,	1 s.	
pieces of Italy, by		Double,	2 s.
of Lyons, Frank		Three fourths of an ounce,	2 s. 9 d.
pro		Ounce,	3 s. 9 d.

And

And of Letters sent Outwards.

To Burdeaux, Rochel, Nantes, } Single,
Orleans, Byon, Tours, and places } Double,
of like distance, Port paid to } Treble,
Paris, } Ounce,

For Letters from those places } Single,
into England, } Double,
Three fourths of an Ounce,
Ounce,

And Letters sent outwards to } Single,
Nimberg, Bremen, Dantzick, } Double,
Lubick, Lipswick, and other } Three fourths of an Ounce,
places of like distance, Port paid } Ounce,
to Hamburg,

Paris, } Single,
} Double,
} Treble,
} Ounce,

Dunkirk, Ostend, Lille, Ipre, } Single,
Courtray, Gend, Brussels, Bru- } Double,
els, Antwerp, and all other parts } Treble,
of Flanders, } Ounce,

Sluis, Flushing, Middleburgh, } Single,
Amsterdam, Rotterdam, Delph, } Double,
Hague, and from all other parts } Treble,
of Holland and Zealand, } Ounce,

IV. Merchants Accounts not exceeding one Sheet, Bills of
change, Invoyes and Bills of Lading, and Covers not exceeding
one Quarter of a Sheet, of Letters sent to *Marshall*, *France*,
Lebore to be sent forward to *Turkey*, shall pass without charge
according to the same Rates to and from any Parts beyond
where Posts may hereafter be settled. Post-masters may charge
Horse 3 d. a Mile, and 4 d. for the Guide for every Stage.

V. Letters and Pacquets brought in any Vessel to any Port
other than such as are before excepted, shall be forthwith delivered
to the Deputies of the Post-master-General for the said Port
to be sent forward.

shall carry or employ others to carry Letters and Packages, or provide Horses for the same, or Persons riding Post, on pain to forfeit $\text{5} \text{ l.}$ for every Month, and 100 l. for every Weeks continuance.

VI. If any Post-master do not furnish persons riding Post with Horses in half an hours time after demand, such persons may sue for themselves, and such Post-master shall forfeit $\text{5} \text{ l.}$ if it be through his neglect.

VII. Nothing in this Act shall prohibit the carrying of Letters and Packages to or from any place to or from the next Post-Road or Stage.

VIII. If the Mail be carried out of *England* in any Vessel not *English*, and Navigated with *English* Sea-men, the Post-master shall forfeit 100 l.

IX. No person shall be capable of any Employment relating to the said Office, but such as shall have taken the Oaths of Supremacy and Allegiance before two Justices of Peace of the Counties where they are Resident.

X. A Post shall twice a Week come by the way of *Truro* and *Penryn* to *Marketrew* in *Cornwal*; and once a Week to *Kendal* by way of *Penrith* in *Cumberland* by way of *Newcastle*, and to *Lincoln* and *Grimsby* in *Lincolnshire*.

XI. The Post-Master-General shall continue constant Posts to all places, though out of the Post-Roads, as hath been used three years last past, at the Rates aforesaid, under the penalty of $\text{5} \text{ l.}$ for every omission.

XII. The Post-master and his Deputies shall observe such instructions as the King shall ordain. The King may grant the said Office for life or years not exceeding one and twenty, upon such terms as he shall think fit.

XIII. No Horses may be seized for this service without the owner's consent.

XIV. Paid Letters shall pay at the Stage where they are last delivered, unless the party that delivers the same desire to pay at the Post-Office: Letters and other things may be sent to and from the Universities, as hath been used; the one moiety of all Profits accruing by this Act is given to the King, the other to the Post-Master-General. *Confirmed 13 Car. 2. Cap. 7.*

XV. *15 Car. 2. Cap. 14.* All the Profits accruing to the Crown by reason of the Post-Office, are hereby settled upon the Duke of *York*, and the Heirs Males of his Body; none of the said Profits to be paid into the Exchequer, but to the said Duke, or his Heirs-General. The said Duke and his Heirs Males may sue in the Kings Name or their own, by Bill, Plaint, or Action of Debt, or otherwise in any Court of Law.

XVI. The King shall have the Nomination of the Post-Master-General, and may grant the said Office for life or twenty one years, under

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under the most improved Rent that can reasonably be had, reserved to the said Duke and the Heirs Males of his Body, under such Covenants, Conditions, &c. as he or they might think fit.

¶ Prerogativa Regis, &c.

I. West. 1. 48. 3 E. 1. Forasmuch as the King hath Ordered these things, viz. This Statute of Westm. i. for the Honour of God and the Church, and for the Commonwealth, and for remedy of such as are grieved, he would not that at any other time it should turn in prejudice of him or of his Crown, but that such Rights appertain to him should be saved in all points,

President of the Council,

I. Stat. 21 H. 8. 20. *pars inde.* The President of the Council (if he be present) may associate the Lord Chancellor, Treasurer and Privy-Seal, at naming of Sheriffs, setting of prices of Wines, and at all other Acts limited (by any Statute) to be done by the said Chancellor and Treasurer, or Keeper of the Privy-Seal.

Primer Seisin.

I. Prerog. Reg. 3. 17 E. 2. The King shall have Primer Seisin after the death of his Tenant in Chief of all the Lands whereof he died seized in Demesne as of Fee, of what Age soever the Heir be, taking the Issues of the same Lands until Inquisition be made, he have taken Homage of such Heir.

¶ Prison, Prisoners, Gaol, Gaolers.

I. Stat. 1 E. 3. Stat. 1. 7. The Justices of either Bench for fine and Gaol-delivery, shall hear and determine all Pleas against Sheriffs and Gaolers, who shall compel or procure them to become approvers, viz. to accuse others.

II. Stat. 3 E. 3. 8. Enditees and Appealers in the Bench shall be safely kept in Prison by the Marshals there, and suffered to go at large, according to the Charge given them by the Justices; and if any complain thereof, the Justices shall have Right during the Term.

At the end of every Term, the Marshalls shall acquaint the King with what Town they will keep such Prisoners, and shall there keep them in houses at their own charge.

VI. The Marshalls who suffer any such Prisoner to go at large, shall suffer half a years Imprisonment, and be ransomed at the Kings pleasure, which the Justices shall have power to inquire of, when they see cause.

VII. The proceedings against Marshalls shall be within the Verge; and if the Marshalls suffer any to escape, they shall be proceeded against according to Law. Howbeit, the King intended not by this to lose the escape, where he ought to have it.

VIII. Stat. 14 E. 3. Stat. 1. 10. Gaols which were wont to be in the Sheriffs custody shall be again rejoyned to their Bailiffs, and they shall put in such Keepers for whom they will answer.

IX. The Gaoler which by *Dures* compels a Prisoner to become an answerer shall have judgment of Life and Member.

X. Stat. 13 R. 1. 15. The Kings Castles and Gaols which were wont to be joyned to the Bodies of the Counties, and be now severed, shall be rejoyned to the same.

XI. Stat. 5 H. 5. 10. Justices of Peace shall imprison none but in the Common Gaol; saving to Lords and others (who have Gaols) their privilege in this case.

XII. Stat. 19 H. 7. 10. The Sheriff of every County shall keep the Common Gaol there, except such as are reserved by Inheritance or Succession; also all Letters Patents of the King of Gaols for life or years are annulled and void; howbeit, neither the *Kings Bench* nor *Marshalsey* shall be in the custody of any Sheriff; and the Patents of *Edward Courtney* of *Down*, and *John Morgan*, for keeping of Prisons, are excepted.

XIII. Stat. 6 H. 8. 6. The Justices of the *Kings Bench* have power (by their discretions) to remand as well the Bodies of Felons, as their Indictments, into the Counties where such Felonies were committed: and also to command the Justices of Gaol-Delivery, or all other Justices and Commissioners there, to proceed and remove such Felonies in like manner as if their Bodies and Indictments had not been removed.

XIV. Stat. 23 H. 8. 2. the Justices of Peace in *Essex*, *Gloucester*, *Derby*, *Suffex*, *Surrey*, *Nottingham*, *Gloucester*, *Bedford*, *Huntington*, *Wilts*, *Kent*, *Warwick*, *Stafford*, *Oxen*, *Rutland*, *Lincoln*, *Hereford*, *Northampton*, *Salop*, *Northumberland* and *Dorset*, or the greater part of them, in their respective Counties, have power within one year to appoint such Towns and places within their respective limits where Comptons may be edified, and to Tax the several Counties for paying and furnishing the same. Howbeit, this Tax was not to extend

extend to Corporate Towns having Justices and Common Gaols of their own.

XIII. Felons shall be committed to the said Common Gaol, and not elsewhere; and the Sheriffs shall have the custody thereof, and shall be allowed in their accounts (by the Barons of the Exchequer) the Moneys expended by them in repair of the same, without any Bill or Warrant of the King to be shewed in that behalf.

XIV. This Act shall not prejudice any person having a Common Gaol by inheritance, or for life, or years.

XV. *Stat. 5 El. 24.* The Statute of 23 H. 8. 2. is continued for ten years, and shall extend to the Counties of *Pembrokeshire, Glamorgan, Cardigan, Radnor and Montgomery.*

XVI. 13 *Eliz. 25.* The Statute of 23 H. 8. 2. and 5 *Eliz. 1.* shall extend to the County of *Cambridge*, and the said Acts shall continue in force ten years after the ten years of continuance mentioned in 5 *El. 24.*

XVII. *Stat. 24 El.* Justices of Peace in Sessions, or the greater part of them, have power to tax every Parish in the County (not above 6 *d.* or 8 *d.* a piece) towards the relief of Prisoners, which Tax, the Church-wardens of every Parish shall levy on Sunday, and pay it quarterly to the High-Constable, or (in a Corporation) to the Head-Officer; and the High-Constable or Head-Officer shall pay the same at every Quarter-Sessions to the Collector thereof, to be appointed by the said Justices, who shall distribute it weekly to the said Prisoners.

XVIII. The Church-wardens, High-Constables, Head-Officers or Collectors aforesaid, which herein shall be found negligent, shall forfeit 5 *l.* to be divided betwixt the Queen and the Prisoners.

XIX. Justices of Peace within the County shall not interfere with a Corporation for the execution of this Act; but only the Head-Officers of the same.

XX. *Stat. 3 Jac. 10.* An Offender which is to be conveyed to the Gaol shall bear all charges, both of himself and of those who convey him.

XXI. If he refuse so to do, upon a Warrant from 3 Justices of Peace, the Constable of the Township where he hath any Goods (being within the same County) may sell so much thereof as the discretion of the said Justice shall be thought sufficient to satisfy the said charges; the appraisement thereof to be made by the Neighbours there, and the overplus to be rendred to the said Offender.

XXII. If the Offender hath no goods to satisfy the same, the Constables, Church-wardens, and two or three other principal Inhabitants; or, in case there be no such Officers there, the principal Inhabitants of the Parish where he was taken, shall make a Tax, according to which (being allowed to the

Justice of Peace) every Inhabitant shall pay the said
and upon refusal (by Warrant from a Justice of Peace)
able, Tithing-man or other Officer, hath power to levy the
distress, and (after appraisement by four Inhabitants there)
the same, rendering the overplus to the party so requi-

XIII. Here, if the Officer that distrains be sued, he shall plead
excuse; and upon Verdict for him, or Non-suit of the Plaintiff,
shall recover treble damages, besides costs of suit.

XIV. Stat. 2. 13 Car. 2. Cap. 2. They that have Cause of
Action against a Prisoner of the Fleet, may sue an Original
and a Writ of Habeas Corpus, shall be granted them to the
Prisoner of the Fleet to have such Prisoner before the Court of
Common Pleas to answer the Plaintiff; and if the Plaintiff put in
a Declaration, according to the Original against the Prisoner pre-
sented at the Bar, the Prisoner shall be bound to appear in Person or
by an Attorney; and unless the Defendant plead upon a Rule
set out at eight days at the least, Judgment by *Nihil dicat* may be
given, and such charge in Court by Declaration signified by Rule
of the Warden, shall be good cause to detain such Prisoner, who
shall not be discharged without *Superseas*, or Rule of Court; else
the Warden to be responsible to the Court, and to the party in an
Action on the Case.

XV. Stat. 19 Car. 2. Cap. 4. The Justices of Peace at their
Sessions may provide a Stock of such Materials as they think
convenient, to set poor Prisoners committed to the Gaol for Felony
or other Misdemeanors on work, in such manner as other County-
prisoners are levied: and may pay and provide fit persons to oversee
them on work, and make orders for Accounts concerning
expenses, and punishment of abuses, and bestowing the profit
arising by such labour for the Prisoners relief. No Parish shall be
charged above 6 s. by the week.

XVI. Sheriffs or others having custody of the Gaol, with con-
sent of three Justices of the Peace, whereof one to be of the *Quorum*,
may upon emergent occasions they find it needful, provide other
place for the removal of sick or other persons out of the usual
Gaol, provided that no such place be used for the said purpose
without the good will of the owner.

XVII. The Mayor, Bayliff and other Head-Officer, or others
having the custody of any Gaol within any Corporation, with ad-
vice of three Justices within the said Corporation, whereof one to be
of the *Quorum*, in time of Infection have the like power of removing
Prisoners; and to raise a Stock *ut supra*.

XVIII. Stat. 22 & 23 Car. 2. Cap. 20. Any Justice of
Peace may by Warrant require the Sheriff, Gaoler, or Keeper of any
Gaol within his Jurisdiction to bring the Body of any person being
detained for Debt on the 14th day of April 1671, or damages,

to some place within a mile of the Prison, and to certify the same of his Imprisonment, and in case such Prisoner shall take this Oath *viz.*

I A. B. do upon my Corporal Oath solemnly profess and declare before Almighty God, that I have not any Estate real or personal possession, reversion or remainder of the value of ten pounds in the Kingdom of England or sufficient to pay the debt or damages for which I am imprisoned, and that I have not directly or indirectly sold, leased or aliened, conveyed, disposed of, or entrusted all or any part of my Estate, to secure the same, to receive or expect any profit or advantage thereon, or defraud or deceive any Creditor or Creditors whatsoever in whom I stand indebted.

XXIX. After the taking of which Oath, the Justice shall release the Prisoner, and give him a Certificate thereof to be served or left at the place of abode of such persons at whose Suit he is charged, thereby appointing them and the Prisoner to appear at the next Quarter-Sessions, when upon Oath that such Certificate was served or left forty days or more before the Sessions; and if the Oath taken by the Prisoner be not disprov'd upon Oath, the Justice shall by Warrant command the Sheriff, Gaoler, &c. to discharge the Prisoner without Fees.

XXX. Provided, that if the Creditor or Creditors will notwithstanding insist to have such Prisoner continued in Gaol, that they shall allow him a weekly maintenance, such as the said Commissioners of the Peace, or any three of them shall appoint, not exceeding 10^s a week: upon non-payment whereof, the Prisoner shall be set at liberty.

XXXI. In any Action against any Sheriff, Gaoler or Keeper of Prison for any thing done in obedience to this Act, the Defendant may plead the general Issue and give this Act in evidence, and if the Plaintiff be Non-suit, or Verdict pass against him, the Defendant shall have double costs.

XXXII. Yet all Judgments had against such Prisoners shall be good against their Lands, Tenements, Hereditaments, Goods and Chattels, except their wearing-Apparel, Bedding for themselves and their Families, and Tools necessary for their Trade.

XXXIII. Prisoners convicted upon any Indictment by confession or verdict of false Swearing in any point or Article of the said Act shall suffer the pains and forfeitures inflicted by *5to Eliz.* on persons convicted of wilful Perjury; and the Court by Process out of which he was imprisoned, shall award a *Ca. sa. infinite*, or other writ for apprehending him, and remand him to the Prison whence he was committed: where he shall be in Execution, as if never discharged. And Execution upon his Lands and Goods, if any have been in his possession at the time, shall be good in Law.

XXXIV. Any Sheriff, Gaoler, or Keeper of Prison who shall refuse to bring or discharge any Prisoner in manner aforesaid, shall forfeit to such Prisoner 100^l. to be recovered by Action of Debt.

Record, and be subject to such Fine and Imprisonment as the Justices shall order.

XV. If any Officer whatsoever shall have in his custody any Prisoner, he shall not receive or colour of any Process or Warrant, he shall not take such person to any Victualling or Drinking-house, without his Licence, so as to charge him with any sum of money for meat or drink, nor shall take more than by Law may be taken for such Waiting, (till the Prisoner have procured an Appearance, or be sent to Gaol, or be sent to Gaol) nor exact any reward for so keeping such person out of Gaol, than what he shall freely give: nor take more for each nights lodging or expences, than what shall be judged reasonable by the next Sessions of the Peace, or at the next Quarter-Sessions: nor shall cause any person to pay for any other thing than what himself shall call

XVI. Prisoners shall be permitted to send for their necessary Bedding they please: and to use such Bedding, Linnen, and other things as they think fit, without purloyniag, detaining, or selling the same; nor shall any Officer demand of them greater than their Commitment or Discharge, or Chamber-rent, than is allowable by Law, till the same shall be settled by three Justices of the Peace, whereof one to be of the *Quorum* within their Jurisdiction: and for the City of *London* and Counties of *Mid-
dlesex* and *Surrey*, the two Lord Chief Justices and the Lord Chief Justice of the Common Pleas, or two of them, and the Justices of the Peace in their several

XVII. The two Lord Chief Justices, the Lord Chief Baron, the Justices of Peace in their several Jurisdictions, and all Commissioners for Charitable Uses shall endeavour to find out all Gifts and Bequests for the benefit of poor Prisoners for Debt: and may examine any Writings whatsoever and Persons concerned therein, and put them upon Oath, and settle the same so as the Prisoners shall not be defrauded.

XVIII. Such Accounts of the said Gifts and Bequests, and the Receipts of Fees and future Government of Prisons, shall be kept by the Lords Chief Justices, and Lord Chief Baron, or two of them, and the Justices of Peace for *London*, *Middlesex* and *Surrey*, and the Justices of the Circuits, and the Justices of Peace in their respective Jurisdictions, and hung up in a Table in each Prison, before the first of January 1671. and Registered by the Clerks of the Peace.

XIX. Prisoners for Debt and Felons shall not be lodged together in one Room: Any Sheriff, Gaoler, or Keeper of Prisons offending herein, shall lose his place, and treble damages to the party injured, to be recovered by virtue of this Act.

Stat. 30 Car. 2. All persons being in Prison on the 1st of May 1678. for Debt or Damages, or upon any other mean Process for Debt, Account, or Trespass upon the

Case, or that have Judgments upon Record against them, charged in Execution, or imprisoned upon Attachments for Debt, upon any Process whatsoever out of any Court of Law or Equity, for Debt or Damages, or Costs only, may be discharged in such manner as such as were in Prison on the 14th of April 1671.

XLII. Every Clause in the Act of 22 & 23 Car. 2. Cap. 1. shall be construed to the benefit of such, as shall be in Prison on the 29th of May 1678. as fully, as for such as were in Prison on the 14th of April 1671.

XLIII. The weekly maintenance mentioned in the said former Act shall be paid to the Prisoner himself; and if within three months after such weekly allowance no Estate of the Prisoner shall be recovered before two Justices of the Peace, the Prisoner shall be discharged by Warrant under two Justices Hands and Seals: and all Prisoners by this or the former Act discharged, are acquitted from payment of any Fees.

XLIV. No Prisoner discharged by this or the former Act, shall hereafter be imprisoned for any Debt, damages or sum of Money grown due to, or recovered by any person served, as by the Act is appointed, before the time of his discharge; but upon any Complaint for the same, shewing a Duplicate of his discharge, may retain an Attorney to appear for him and file common Bail, so that the Plaintiff may recover and enter Judgment, to be levied on the Prisoners Tenements, Goods and Chattels of such Prisoner, his Apparel and Furniture for his house, (such Furniture not exceeding ten pounds value) and necessary Tools for his Trade only excepted, but not on his Person.

XLV. Sheriffs, Gaolers and Keepers of Prisons that shall neglect and delay to bring and discharge any Prisoner according to the Order of the Justice or Justices, shall forfeit to such Prisoner 20 l. and be subject to such Fine and Punishment as the said Justices upon Complaint shall order.

XLVI. Upon any Action brought against any Officer for any Neglect done in obedience to this Act, the Defendant may plead the Act in Issue and give this Act in evidence; and if the Plaintiff be in the suit or Verdict pass against him, the Defendant shall recover his Costs.

XLVII. The discharge of any Person by virtue of this Act shall not discharge any other Person bound for the said Debt as Prisoner or Surety.

XLVIII. No person shall be discharged by this Act, that shall before such Oath made, have remained six months in Prison.

XLIX. No person shall be discharged by this Act, who shall stand charged in Execution with more than 500 l. principal Money.

XLIX. No Creditor shall be bound to make any weekly allowance as aforesaid, where any person bound to maintain such Prisoner, is of ability so to do.

Any Creditor ordered to make allowance as aforesaid, may within one week after notice of such order, at his own charge cause the Prisoner, being a Handy-crafts-man or day-Labourer, to be removed to any publick Work-house in the same County, or within any miles of the Prison, there to be held to labour, and shall continue towards his maintenance only, what shall be requisite above the value of his labour, to be ascertained by the two next Justices of Peace; and if such profit exceed his maintenance, one moiety of the surplus shall go to the payment of his Debts, and the other to the Prisoner himself to be distributed by the two next Justices of Peace.

After two years continuance at any Work-house, the Prisoner shall be discharged.

Such commitment to a Work-house as aforesaid, to be by a Warrant of the Court to which he is a Prisoner, or the two next Justices of Peace to such Work-house.

At any Creditors request, the said Oath shall be tendered to any Prisoner released by virtue of this Act, by any impleaded to administer it, or any Judge of the Court wherein there is a Suit against him, and upon refusal the Prisoner shall be re-committed in Execution.

This Act shall not extend to persons in Execution for any offence committed before the 29th of May 1678.

Persons detained upon mean-process, if desired, shall give a Sum to some Attorney to appear or file common Bail, and receive Execution, and thereupon have the benefit of this Law as fully as if they were in Execution before the 29th of May, 1678.

No Forfeigner for any Debt contracted beyond Sea shall have any benefit by this Act.

No Prisoner shall be discharged until he shall declare upon Oath what Effects are belonging or Debts owing to him, and by what means, for what cause, and upon what security, of which a Schedule shall be made in the Presence of the Justices empowered to discharge him, and subscribed by the Prisoner, and by the Justices returned to the Creditors for the Creditors to sue thereupon in the Prisoners Court, rendering the overplus of what they recover and receive, to the Prisoner.

If any person shall forswear himself in taking the said Oath, he shall suffer seven years imprisonment without bail, over and above what may by any Law now in being be inflicted.

Prize Ships.

I. Stat. 19 Car. 2. cap. 11. All Forreign built Ships, which were taken during the late War, or shall be taken in the places yet in Possession as Prizes, and have been, or shall be adjudged Prizes, shall enjoy the benefit of free Ships, and export and import Goods, &c. as freely as Forreign built Ships that did belong to the Kingdom of England before the first day of April 1661. might then have done, and in any other manner.

II. Provided that the Owners of such Ships shall take an Oath or before the first of August next, or within three months after such Ships shall be adjudged Prize, before the Officers of the Customs, that they are the true Owners of the same, and that no Forreigner hath any share therein, and that they produce the condemnation of the Ship, as taken during the late War, by a Court of Admiralty of England or Ireland.

III. The Officers before whom such Oath shall be made, shall give Certificates under the Seal of their Office, to such as shall demand the same of all Forreign built Ships, and keep a Register of the same, and within two months after such Oath made shall send Duplicate thereof to the chief Officers of the Customs at London, Dublin, and his Majesties Plantations respectively; the said Officers at Dublin and the Plantations, being within two months after such Oath so made, to return Certificates thereof to the Officers of the Customs at London, with the Owners names, to the end they may be returned into the Exchequer.

Probate of Testaments.

I. Stat. 31 E. 3. 4. Bishops shall restrain their Clergy from taking excessive Fees for Probats of Testaments, in places where they have them indited before the Justices for Exortion, as hath been heretofore used.

II. Stat. 23 H. 8. 13. Nothing shall be given for the Probate of Wills or Commissions of Administration, when the Goods of the Dead exceed not 5 l. save only 6 d. to the Register: Nevertheless the Judge shall not refuse to prove such a Testament, being exhibited unto him in writing, with Wax ready to be sealed and subscribed *Communi forma*, but shall dispatch the party without delay.

III. For the Probate of a Will, and all other things concerning the same, when the Goods of the Dead exceed 5 l. but not more, the Judges Fee is 2 s. 6 d. as before, and the Registers 12 d. When they exceed 40 l. the Judges Fee is 2 s. 6 d. as before.

the Register as much: or the Register may refuse the 2 s. 6 d. and take a penny for ten lines of the Will, each line being conceived to contain ten lines in length. And for these Fees they shall dispatch the party without frustratory delay.

VI. Where there is no Will, or the Executors refuse it, Administration ought to be committed to the Intestates Widow, if he left issue to the Widow and the next of the Kindred, or (in case he left no issue) to one or more of the Kindred, or (in case they look not upon it) to any Creditor or Creditors that desire it, or in case they neglect it) to any other person or persons; at the discretion of the Ordinary; who is enjoined to take Security of such Administration for the due administration of the Intestates Goods.

Nothing shall be given for Letters of Administration, when the Intestates Goods exceed not 5 l. and when they exceed 5 l. but not 10 l. the Officers Fees are only 2 s. 6 d.

VII. The Executors or Administrators, calling to them two or more Creditors, or so many of the next of the Kin, or (in their default) two or more Neighbours, or Friends to the dead, shall in their presence cause a true Inventory to be made of the Goods, and shall deliver the same in upon Oath unto the Ordinary indented, whereof one part shall remain with the Ordinary, and the other with the Executors or Administrators.

VIII. The Judge or Ordinary shall not refuse to receive any Inventory indented so tendred unto him in Court, together with his Oath to make the same.

IX. Lands devised to be sold shall not be accounted any of the Testators Goods.

X. The Fee of the Copy either of the Will or Inventory, is the same with that above allowed for registering of the Will; or else the Register may take a penny for every ten lines of the length as aforesaid.

XI. The Officer that takes more than his due Fee, shall forfeit that over to the party grieved, and besides 10 l. to be divided berwixt the King and the same party grieved.

XII. This Act shall not alter the Custom where less moneys hath been taken for Probate of Testaments.

XIII. The Ordinary may convent Executors to prove the Testators Will and to bring in the Inventory, as before, notwithstanding this

Process.

I. *Artic. super Chart.* 15. 28 E. 1. The Summons and Attachments of plea of Land shall contain fifteen days; except Attachments of Assizes in the Kings presence, and Pleas before Justices in the Eyre during the Eyre.

II. *Stat.* 5 E. 3. 11. Justices assigned to hear and determine Felonies shall direct their Writs to all the Counties of England, where need shall be, to take persons indicted or outlawed for Felony.

III. *Stat.* 25 Stat. 5. 17. Process shall be made in a Writ of Debt and Detinue of Cattel, and taking of Beasts by Writ of *Capias*, and by process of Exigent by the Sheriffs return, as is used in a Writ of Accompt.

IV. *Stat.* 6 H. 6. 1. Upon Indictment of any person in the Kings Bench for Treason, Felony, or Trespass, a *Capias* shall be awarded against him, as well to the Sheriff of the County where he was so indicted, as of the County whereof he is named in the Indictment, returnable (at least) six weeks after, before an *Exigent* shall be awarded: and if any *Exigent* shall be awarded, or Outlawry pronounced before such return, they shall be void. This Ordinance shall endure as long as it shall please the King.

V. *Stat.* 8 H. 6. 10. Upon every such Indictment or Appeal (before Justices of Peace, or other Commissioners) or any person dwelling in any other County, than where the Indictment or Appeal was taken, before any *Exigent* be awarded thereupon, after the first *Capias* returned, another shall issue out against him to the Sheriff of the County, where he is supposed, by the Indictment, to be most conversant, returnable three months after, before the Justices or Commissioners, before whom he was so indicted or appealed, where the Counties are holden from month to month, but four months after, where they are holden from six weeks to six weeks.

VI. In this second *Capias* the Sheriff shall be commanded to take him, if he be in his Bayliwick; but if he cannot find him, then to make Proclamation at two several Counties before the return thereof, that he appear at the return; at which time, if he come not, an *Exigent* shall be awarded: And every *Exigent* awarded, or Outlawry pronounced otherwise, shall be void.

VII. The Statute of 6 H. 6. 1. is confirmed; and an Action upon the Case is maintainable by the party wrongfully indicted or appealed against the Procurer thereof, wherein he shall recover his Damgages, and the process thereof shall be as in Trespass *in armis*.

This Act shall not extend to Indictments or Appeals taken in the County of Chester.

IX. If the Indictor or Appellee happen to be conversant in the County where the Indictment is found, at the time of the finding thereof, like process shall be made against the person as heretofore hath been used.

X. Stat. 10 H. 6. 6. The Statute of 8 H. 6. 10. is confirmed.

XI. When such Indictments or Appeals as are mentioned in the Statute of 8 H. 6. 10. are removed by *Certiorari* into the Kings Bench, like Processes and Returns shall be issued and observed in the Court, as the Justices or Commissioners are ordered to issue and observe by the same Statute; and *Exigents* or *Outlawries* otherwise made or pronounced shall be void.

XII. Stat. 19 H. 7. 9. Like Process shall be hereafter had in Actions upon the Case sued in the Kings Bench, or Common Pleas, as in Actions of Trespas or Debt.

XIII. Stat. 23 H. 8. 14. Like Process shall be had in every Action hereafter to be brought upon the Statute of 5 R. 2. 7. (*which* is in Forcible Entry) as in Trespas; and the like Process also in every Writ of *Annuity* and *Covenant*, as in Debt.

XIV. Stat. 8 El. 2. When any person shall sue forth of the Kings Bench any *Latitat*, *Alias* and *Pluries Capias* against any person, who thereupon doth appear and put in bail, if the Plaintiff do not declare within three days after, or do after Declaration delay or *discontinue* his Suit, or be Non-suit, the Judges of that Court shall thereupon award damages against the Plaintiff.

XV. The like shall be done in the Courts of the *Marshalsea*, *Lunden*, and all other Corporation and Liberties, where the Courts be kept *de die in diem*; but where they are not so kept, then the Plaintiff must declare at the next Court after appearance, unless he have longer time allowed him by the Court.

XVI. If any shall maliciously (for vexation and trouble) cause or procure any person to be Arrested or Attached, to answer in any of the said Courts, at the Suit of any person, whereas there is none such, or without the consent or agreement of the party at whose Suit such Arrest or Attachment is procured; the party so causing or procuring the same, and thereof Convicted by Indictment, Presentment, the Testimony of two or more Witnesses, or other due proof, shall suffer six Months imprisonment without bail; and shall not be enlarged, until he hath satisfied the party grieved his treble damages; and besides, shall forfeit unto him (if he be known) 10 l. to be recovered (as also the said treble damages) by Action of Debt, Bill, or Plaint, in any Court, against the party so offending, his Executors or Administrators, in which no *Escoin* &c. shall be allowed.

XVII. Stat. 12 Car. 2. Cap. 3. No judicial proceedings commenced or prosecuted before the fifth day of May 1660. in the *Teste* or *Teste* of *Custodes Libertatis Angliae*, &c. or Keepers of the Liberty of England, &c. or of Oliver Lord Protector, &c. or of Richard Lord Protector, &c. shall be abated by his Majesties re-assumption of the Government, neither shall the same be cause of Error.

XVIII. One pretended Act made in 1650. for turning the Books of the Law and all proceedings in Courts of Justice into English, shall be in force, as if it had been a good Act, from the first term of *Easter* Term in 1651. to the first day of *August* in 1660. and no longer. Also one other pretended Act made in 1650. wherein it was mentioned to be enacted, That it should be lawful for any persons by reason of any matter to be pleaded in bar to any Action in any Court of Record, to plead the general Issue and give the special matter in evidence, shall be in force as touching the pleading of the general Issue, until the first of *August* 1660. as if it had been a good Act of Parliament.

XIX. Stat. 2. 13 Car. 2. Cap. 2. In all personal Actions and Actions of *Eject. firme* by original Writ in the Kings Bench or Common Pleas after Issue joyned and Judgment had, there shall not need to be fifteen days betwixt the *Teste* and return of any *Ven. Facias*, *Hab. Corp. Jur'* or *Dist. Jur'*, *Fieri Fac.* or *Cā. Sa.* other than *Cap. ad Sat.* whercon a Writ of *Exigent* after Judgment is to be awarded, and *Cap. ad Sat.* against a Defendant in order to make a Bail liable.

XX. This Act shall not extend to popular Actions, except Debt upon 2. *Ed. 6.* for Tithes.

Prochein Amy.

I. *West.* 1: 47. 3 *E.* 1. If a chief Lord being Guardian make Feoffment of the Heirs Land, the Heir shall forthwith recover it by Assize of *Novel disseisin* against his Guardian and the Tenant, and the Seisin shall be delivered by the Justices to the next Friend to the Heir, (to whom the Inheritance cannot descend) to improve it for the use of the Heir, and to answer him for the Issues at his full age, and the Guardian shall lose the custody of the thing recovered, and all the Inheritance that he holdeth by reason of the Heir: but if the Guardian be a mean Lord, he shall lose the Wardship of all, and be grievously punished by the King.

II. If the Infant be carried away, or disturbed by the Guardian or his Feoffee, or any other, so that he cannot sue his Assize, his *Prochein Amy* shall be admitted to do it for him.

Stat. 2. 17. 13 E. 1. If an Infant be cloimed, so that he sue personally, his *Prochein Amy* shall be admitted to sue for

Prohibition and Consultation.

I. Stat. de Circumspecte agatis, 13 E. 1. For Penance corporal or pecuniary enjoined for deadly sin, as Fornication, Adultery, or the like, also for not fencing the Church-yard, or not repairing the Church or sufficiently adorning it, a Prohibition lieth not; nor for Oblations, Tithes, Mortuaries, Pensions, laying violent hands upon a Clerk, Defamation, (when Money is not demanded) nor for breaking an Oath.

II. Stat. de Consultatione, 24 E. 1. When the Chancellor or Chief Justices (upon sight of the Libel) conceive that the Plaintiff cannot have remedy in any Temporal Court, the Plaintiff shall have Consultation, viz. the said Chancellor or Chief Justice shall write to the Ecclesiastical Judges before whom the cause depends, that they grant therein notwithstanding the Kings Prohibition.

III. Artic. Cler. Cap. 1. 9 E. 2. For Tithes, Oblations, Oblations, or Mortuaries, when they are propounded under those names the Kings Prohibition shall not hold place, albeit for the sake with-holding of them they come to a pecuniary estimation: but if an Ecclesiastical person lodge his Tithes in his Barn, and then sell them for money, if that Money be demanded before a Spiritual Judge, for this a Prohibition lieth; for by the sale they are made Temporal.

IV. Cap. 2. If debate arise upon the right of Tithes, (having his original from the right of the Patronage) and the quantity of the same Tithes do amount to a fourth part of the Goods of the Church, for this a Prohibition lieth: also if a pecuniary Penance be demanded in the Court Christian, a Prohibition lieth. But if a Prelate injoin Corporal Penance, and the party afterwards commutes for money, that money is recoverable in the Court Christian, and in that case a Prohibition lieth not.

V. Cap. 3. If any lay violent hands upon a Clerk, the amends for the Peace broken shall be before the King, and for the Excommunication before a Prelate: and if Corporal Penance be enjoined, and the Offender will redeem it with money to give to the Prelate or the party griev'd, it shall be required before the Prelate, and the Kings Prohibition lieth not.

VI. Cap. 4. Also in Defamations the Prelates may correct, notwithstanding the Kings Prohibition.

VII. Cap. 5. No Prohibition shall be granted where Tithe is demanded out of a Mill newly erected.

VIII. Stat. 1 E. 3. Stat. 2. 11. A Prohibition is granted against those who in the Spiritual Court do sue their Indictors.

IX. Stat. 18 E. 3. Stat. 3. 5. No Prohibition shall be awarded but where the King hath Conuſance.

X. Stat. 45 E. 3. 3. A Prohibition (and an Attachment thereupon) shall be granted, where a Suit is commenced in the Spiritual Court for the Tithes of Underwood above twenty years growth in the name of *Sylvacada*.

XI. Stat. 50 E. 3. 4. No Prohibition shall be allowed after Consultation duly granted, so as the matter in the Libel be not changed.

Prophecies.

* I. Stat. 5 EL. 15. None shall publish or set forth any phantastical or false Prophecy with an intent to raise Sedition, in pain to forfeit for the first offence 10 *l.* and to suffer one whole years imprisonment; and for the second, all his Goods, and to incur imprisonment during life; which said forfeitures are to be divided betwixt the Queen and the Prosecutor.

II. Justices of Assize, Oyer and Terminer, and Peace, have power to hear and determine this offence, being prosecuted within six Months, otherwise not.

Protection.

I. Stat. *de Protectionibus*, 33 E. 1. A Challenge shall be given against a Protection of the Kings Servant; and if the Country give against him that cast the Protection, it shall turn to a default, if he be Tenant; and if he be Demandant, he shall lose his Writ, and shall so be amerced to the King.

II. Stat. 25 E. 3. Stat. 3. 19. Notwithstanding the Kings Protection of his Debtor, other Creditors may proceed to Judgment against him, with a *Cesset executio* until the Kings Debt be paid; and here, if the Creditors will undertake for the Kings Debt, they shall have Execution against the Debtor, both for their own Debts, and likewise for so much as they have paid the King.

III. Stat. 1 R. 2. 8. No Protection with the Clause of *Visum et Repertum* shall be allowed for Victuals taken or brought upon the Kings Service whereof the Protection maketh mention; neither yet for Trespasses or Contracts made after the date of the same Protection.

Stat. 13 R. 2. 16. No Protection with the Clause of *profecturus* shall be allowed in any plea whereof the Suit was commenced before the date of such Protection: except in a Voyage where the King goeth in person, or other Voyage Royal; or in the Kings Messages. Howbeit this Act will not infringe Protections with the Clause of *Quia moratur*: and if the party protected tarry more than a convenient time in the Country without going to the Service, or return from the Service, the Chancellor, having notice thereof, shall repeal his Protection.

V. Stat. 7 H. 4. 4. In an Action of Debt brought against the Keeper which letteth a Prisoner escape, a Protection shall not lie.

Provision and Preenunire.

I. Stat. 25 E. 3. Stat. 5. 22. He that purchaseth a Provision in Rome for an Abby or Priory shall be out of the Kings protection, and any man may do with him as with the Kings Enemy. But this is altered by 5 EL. 1. which see in Crown.

II. The Statute of Provisors 25 E. 3. Stat. 6. made to prevent Collations of Benefices in England by the Pope to the Provisors or Procurers thereof, as well Aliens as Denizens: And here, the penalty is imprisonment without bail, until he should make fine to the King, and satisfaction to the party grieved, if he were taken; but if not, the Exigent should run against him.

III. Stat. 27 E. 3. Stat. 2. 2, 3. A Preenunire is granted against such as sue in a foreign Realm, or impeach there any judgment given in any of the Kings Courts, for any matter whereof the Kings Courts may take cognisance: The penalty is, to be out of the Kings protection, to forfeit all their Lands and Goods, and to be imprisoned, and ransomed at the Kings will, if they may be found; but if not, they shall be put in Exigent, and outlawed.

IV. Stat. 3 R. 2. 3. None shall take a Benefice of an Alien, nor convey any Money to him for the farm thereof, in pain of a Preenunire.

V. Stat. 7 R. 2. 12. No Alien shall purchase a Benefice in the Realm, nor occupy the same without the Kings Licence, in pain of a Preenunire.

VI. Stat. 12 R. 2. 15. If any go out of the Realm to procure (by way of Provision) a Benefice within the Realm, he shall be out of the Kings protection, and the Benefice shall be void.

VII. Stat. 13 R. 2. Stat. 2. 3. A Confirmation of the Statute of Provisors 25 E. 3. and if any accept of a Benefice contrary

ary to the said Statute, he shall incur a *Premunire*, and perpetual banishment.

VIII. Stat. 16 R. 2. 5. None shall purchase Bulls or other Licenses from Rome, or elsewhere, in pain to incur a *Premunire*. The Crown of England is subject to none.

IX. Stat. 2 H. 4. 3. & 4. Religious Persons, purchasing from the Pope to be exempted from Obedience or Tithes, shall incur a *Premunire*.

X. Stat. 7 H. 4. 8. No Provision shall be made by the Pope, Licence or pardon by the King, touching any Benefice then full or Incumbent.

XI. Stat. 3 H. 5. 4. All Provisions made by the Pope, Licenses or Pardons by the King, touching any Benefices full or Incumbent, shall be void, and the Providers thereof shall incur a *Premunire*.

Purprestures.

I. Stat. de Bigamis, 4 E. 1. Purprestures, or Usurpations, against the King, shall be resealed; and if any complain of such Rejection, he shall be heard, and have right done him.

Purveyors.

* I. Magna Charta, 21. 9 H. 3. No Sheriff or Bayliff of the King, or any other, shall take any Horses or Carts of any man to make carriage, except they pay for carriage, with two Horses, the rate of 10 d. a day, and with three, 14 d. a day.

II. No Demesne Cart of any Spiritual person, Lord or Bishop, shall be taken for carriage by the Kings Bayliffs: neither shall any Wood be taken for the Kings use, without the owners Licence.

III. Art. sub Chart. 2. 28 Ed. 1. If a Purveyor be arrested, he shall have taken any thing without Warrant he shall be conveyed to the next Gaol, and suffer as a Felon, if the value of the Goods do not exceed 100 s. and he shall be quire.

IV. Stat. 38 E. 3. 6. It is felony for any Subjects to take any thing by way of Purveyance, without the Owners Licence.

V. Stat. 20 H. 6. 8. A Purveyor that takes Goods whose value exceeds not 10 s. and pays not present money for them, may be resisted: And here the Constable, Head-burrough, or other Officer shall (upon request) assist the Owner in pain to yield unto the Owner the value of the Goods taken, and double damage.

of the King's Officers shall arrest or trouble any of
Subjects for any such resistance, in pain of 20 l. to be
divided between the King and the Prosecutor.

Justices of Peace have power to here and determine the
damages committed against this Act, and, upon conviction of the
felony, to award damages to the Plaintiff.

Stat. 12 Car. 2. Cap. 24. From henceforth no sum of
money or other thing shall be raised for Provision, Carriages or o-
verpurveyance for the King.

No person by colour of making purveyance for the King,
or their Children, or any of their Household shall take any
of any Subject without the owners assent: nor shall require
any Horses, Oxen or other Cattle, or Carriages for any
Queen, &c. without consent as aforesaid.

No pre-emption shall be allowed in the behalf of the King,
&c. in Market or out of Market: and if any make pur-
veyance or impress Carriages or other things by colour of any
Warrant under the Great Seal, or otherwise, contrary to the intent
of any Justice of Peace or the Constables of the place, may
arrest the Offenders till the next Sessions: and the party re-
covered treble damages and treble costs. And if any (after no-
tice that the Action depending is grounded on the said Statute)
shall procure such Action to be delayed by colour of any Authority,
or delay of the Court where it is depending, or Execution to be
suspended only by Writ of Error, or Attaint, or order of such
Court where such Writ is depending, he shall incur a Præmunire.
Against the King's right, to or out of Tin, in the *Stannaries of De-
von and Cornwall*, and ancient Duties of the butlerage and prize
of the *Wine*. *Confirmed 13. Car. 2. Cap. 7.*

Stat. 13 Car. 2. Cap. 8. An Act for providing necessary
expenses for his Majesty in his Royal Progress and Removals.
This Act to have continuance till the end of the first Session of
the next Parliament and no longer. *Exp.*

Stat. 13 & 14 Car. 2. Cap. 20. An Act for providing
stores by Land and Water for the use of his Majesty's Navy
and Ordnance. This Act shall continue till the end of the first
Session of the next Parliament and no longer. *Exp.*

Section 1. Non-conformists.

Queen.

I. Stat. 1. **A**LL Regal power of this Realm, and all Dignities, *M. parl.* 2. 1. ties and pre-eminences thereunto belonging, shall be as well in a Queen as in a King.

Quod permittat.

I. *Test.* 2. 24. 13 E. 1. In like manner as a Parson of Church may recover common of Pasture by a writ of *Novelsseisin*, so his Successor shall have a *Quod permittat* against the Defendant or his Heir, though there was never such a Writ granted out of the Chancery before.

¶ Rape.

* I. *Test.* 1. **N**One shall Ravish or take away by force a Maid within age, (neither by or without her consent;) nor any Wife or Maid of full age, nor any other Woman, against her will.

II. Here any person may sue within fourty days; but if he delay then the King shall have the Suit: and such as be found culpable shall suffer two years imprisonment, and make fine at the Kings will; and if they have not whereof, they shall be punished by longer imprisonment, as the trespass requireth.

III. *Test.* 2. 34. 13 E. 1. If a man Ravish a Woman or Maid or other, where she did not consent, neither before nor after, he shall have judgment of life and member.

IV. Where a man Ravished a Woman married, Lady, or other, albeit she consent after, yet he, being convicted thereof shall have like judgment as before: and here the King shall have the suit.

V. Of Women carried away with the Goods of their Husbands the King shall have the suit for the Goods so taken away.

VI. If a Woman willingly leave her Husband, and go and continue with her Advourterer, she shall be barred of Action to demand her Dower, unless her Husband (and without coercion of the Church) reconcile her, and she will her to dwell with him.

shall carry away a Nun from her House, (albeit she be a Maid) shall suffer three years imprisonment, and to make satisfaction to the House, and fine to the King.

Stat. 6 R. 2. 3. Both the Ravisher and Ravished (where the Rape is committed after the Fact) are disabled to have or challenge any Marriage, Dower, or joint-Estate, after the death of their Husband or Ancestor.

II. In an appeal of Rape, the Husband, Father, or next of Kin, shall have the suit; and the Defendant shall not be allowed to wage Battel.

Reasonable Aid.

Stat. 1. 35 E. 1. and 25 E. 3. Stat. 5. 11. Reasonable Aid shall be made the King's eldest Son a Knight, and to marry his eldest Daughter, shall be for a Knight's fee holden of the King without Ransome, and every 20 l. Land in soccage shall pay as much, and more or less according to that rate; and it shall be levied at ten years age of the Son, and seven years of the Daughter. If the Father levy it, and die before the Marriage of the Daughter, the Fathers Executours shall be charged therewith; and if they have not assets, the Heir shall be therewith charged.

Receivers.

Stat. 34 H. 8. 2. All Collectors of Fifteens and Subsidies for Tax or Loan, and all particular and general Receivers of the King's Revenues, shall within three months after the same are received, and by them received, truly pay them unto the King's use, and lose their Offices, and also to forfeit 4 s. for every pound received, and not paid in, as aforesaid, to be recovered by Bill, or Action of Debt, at the King's suit: Howbeit lawfull excuse thereof within the said time shall excuse the said penalties, if they be not then received by the proper Officer, by reason of such occasions.

Provided, that the Heir of any such Collector or Receiver shall not be charged (by reason of this Act) but onely in Lands which he holds in fee-simple or fee-rail, or which have been conveyed to him by collusion from such Collector or receiver; neither shall their Executours or Administrators be otherwise charged for the same, than as they are chargeable by the Common Law, in an Action of Debt commenced against them as Executours or Administrators.

The Heir being charged, shall have remedy against the Executors or Administrators of his Father or Ancestor, and shall have satisfaction of such Goods and Chattels as remain in their hands at the time of the Action brought.

IV. This Act shall not extend to the Collectors of the Customs or of Tunnage and Poundage; nor to restrain the payment of Penfions, Fees, Annuities, Rents, or other allowances to be paid by the said Receivers, according to the several allowances thereunto.

V. Stat. 7 E. 6. 1. Every Treasurer-general, and particular Receiver, Bailiff, and Minister accomptant to the King, shall before his entry upon the Office, be bound with surety or sureties for his true account and payment, in pain to lose his Office.

VI. Every such Receiver, his Deputy or Deputies shall make precepts to the several Collectors, Ministers, and Ministers accomptant within the circuit of his Office, charging them thereupon personally to appear before him, or by their Deputy or Deputies (for whom they will answer) within the County where such Offices do lie, at a certain day and place in the said Precept limited, to pay in such monies as shall be due (within their Collections) to the King, at or before *Easter*: which Precept shall be delivered unto them, or left at their houses, or the place where their Collections are, twelve days (at least) before the day of appearance.

VII. Here, if the Accomptant make default of appearance, and be thereof duly convicted in the Court where the Revenue he shall forfeit, for the first offence, his whole Fee for that year or the value thereof; and for non-payment of the money due, shall lose for the first offence 6 *d.* in the pound for every month after the said day of appearance, untill it be paid in by the Receiver.

VIII. Like precepts are to be sent unto the said Accomptants the Auditor for appearance at the Audit at a certain day after *Michaelmas*, and for accompting there before him for monies due at or before that Feast upon the like penalties (for the first offence as before, if they appear not, or refuse to accompt; they are also to pay into the Receiver all monies found due by the Auditor upon their Accompts.

IX. For the second default of appearance at the Audit, they shall lose their Offices; and for their second offence of not paying in the monies due at or before *Michaelmas*, they shall forfeit for every month untill they be paid.

X. The Receivers shall yearly pay in all monies due at or before *Easter* (which they know to be due, and can by any means receive) by the 20th. of *June* at farthest, as those due before *Michaelmas* by the 20th. of *January*, in pain to forfeit in the pound for every day they so make default of payment.

XI. Every Receiver shall yearly enter into his accompt before *Hilary Term*, finish it before the tenth of *March*, and pay in the monies due upon his accompt before the 20th. of *March*, in pain to forfeit 4 *d.* in the pound for every day that he shall be in default the same longer.

Every Receiver, Collector and Bailiff, hath power to distreſs for Arrears, and to order the ſaid diſtreſſes in like ſort as the Exchequer for non-payment of the King's Rents and Revenues have lawfully uſed to doe, delivering to the party diſtreſſed the overplus of the value of every ſuch diſtreſs, the Debts being firſt paid, and the diſtrainer answered his reaſonable coſts.

III. The King's chief Officers of the King's Courts of Revenue or Record) have power to let fines and amerciaments upon persons for not returning or miſ-returning of Writs iſſued out for the levying of the King's Debts or Revenues.

IV. All Treasurers, Chamberlains, general Receivers and Deputies, ſhall, upon ten days notice, (from the King, or ſix of his Privy Council,) render an accompt of what monies are in their hands, and ſhall make ready payment thereof, in pain to loſe their Offices.

V. The ſaid Treasurers, Chamberlains and general Receivers, and Deputies, ſhall yearly, before the 20th. of June, make a perfect accompt of all ſuch monies as came to their hands before the 1st. of March next before, and ſhall make a perfect and ſolemn Declaration in writing of the money remaining in their hands (to the King or his Council) yearly before the laſt of June, and ſhall make payment thereof as they ſhall be afterwards commanded by ſufficient Warrant, in pain to forfeit their Offices.

VI. No Treasurer, Receiver, or Miniſter accomptant, or Deputy, ſhall receive for the payment any Fees, Annuities, Duties or Warrants, more, or otherwiſe, than they lawfully may by former Laws and Statutes in that behalf provided, nor ſhall they forfeit for every peny or peny-worth otherwiſe taken of the party grieved, to be recovered by Bill, Plaint, or Action of Debt.

VII. The Auditor that refuseth or delayeth to take an accompt, ſo that the Accomptant cannot paſs his accompt within the time above limited, ſhall forfeit as much as the Accomptant ſhall have forfeited, and the Accomptant ſhall be diſcharged of his accompt.

VIII. The Auditor or his Deputy ſhall in convenient time after the requeſt and at the coſts of the Accomptant) deliver unto the Accomptant a Duplicate or copy of his accompt under his hand, in pain to forfeit 10*l.* to the King.

IX. This ACT ſhall not extend to Archbiſhops or Biſhops, touching their accompts or payments of Tenths; nor to any Chancellor, Eſcheator, or Collector of Diſmes, Quindismes, Benevolences, Contributions, or Subſidies, the Subſidies of Tunnage and otherwiſe excepted.

Recognizance and Statute-Merchant

I. Upon Writ, 11 E. 1. The Merchant that will be of his Debt, shall cause his Debtor to come before the Mayor of London, York, or Bristol, or before the Mayor and Clerk (whom the King will appoint) to acknowledge the Debt and day of payment; which Recognizance shall be entred in a Book with the hand of the said Clerk.

II. The Clerk shall make with his own hand a Bill obligatory whereunto the Seal of the Debtor shall be put together with the King's Seal, to be appointed for that purpose; which Seal shall remain in keeping of the said Mayor and Clerk.

III. If the Debtor fail at the day, upon notice thereof to the Mayor and Clerk, they shall cause his Chattels and divisible Burgages to be sold as far as the Debt doth amount, by appraisement of honest men, and the money without delay shall be paid to the Creditor; and in case they cannot sell them, they shall cause so much of the movables to be delivered unto him as amount to the Debt, and the King's Seal shall be put unto the sale and delivery of the Burgages.

IV. If the Debtor have no movables within the Mayor's jurisdiction, then shall the Mayor send the Recognizance to the Chancellor under the King's Seal, and the Chancellor shall upon direct a Writ to the Sheriff in whose Bailiwick the movables of the Debtor be, who shall proceed therein as the Sheriff might have done if the said movables had been in his power.

V. If the Appraisers set too high a value upon the Things that are to be sold, they shall be compellable to take them at the same price, and shall forthwith be answerable to the Creditor for his Debt: And albeit the Movable Goods are sold for less than they are worth, yet is the Debt without remedy; and it shall be imputed to his own folly, that he would not sell them when he might.

VI. If the Debtor have no movables whereupon the Debt may be levied, he shall be imprisoned, and there remain until he be paid with the Creditor; and if he be in want, the Creditor shall give him Bread and Water, which the prisoner shall also furnish for himself before he be enlarged. A Merchant-stranger shall also be kept for his stay about the said business.

VII. If the Debtor have Sureties, they shall be bound and proceeded against in like form as is before declared against the Debtor. Howbeit, so long as the Debt may be levied of the movable of the Debtor, his pledges or mainpernors shall be without damage.

VIII. *stat. de Mercatoribus*, 13 E. 1. The Merchant shall

shall come before the Mayor of *London*, or before some Justice of a City or other good Town, where the King's Seal shall be put, and before the Mayor or chief Warden, or other Justice chosen and sworn thereto when the Mayor or chief Warden cannot attend, and before one of the Clerks that the King shall assign, when both cannot attend, to acknowledge the day of payment; which Recognisance shall be enrolled in the said Clerks hands being known; and the Roll shall be kept, whereof one part shall remain with the Mayor or chief Warden, and the other with the said Clerk.

II. Then one of the Clerks shall write an Obligation, whereunto the Seal of the Debtor shall be put, together with the King's Seal provided for the purpose; which Seal shall have two pieces, whereof one part shall remain with the Mayor or chief Warden, and the other with the afore said Clerk.

III. If the Debt be not paid at the day upon the Merchant's account, the Mayor or chief Warden shall cause the Debtor to be arrested, (if he be Lay, and in their power) there to remain in prison at his own costs, untill he have agreed the Debt: and the Keeper of the Prison there shall receive him, in pain to answer the Debt, or (if he be not able) he that committed the Prison to him.

IV. If the Debtor cannot be found by the Mayor or chief Warden, he shall send the Recognisance under the Kings Seal into the Chancery, from whence shall issue a Writ to the Sheriff of the County where the Debtor is, to take his body, (if he be Lay) and to keep him in prison, untill he agree the Debt; and within the space of a year after he is so taken, his Goods and Lands shall be delivered unto him, to the end he may pay the Debt, without the sale of his Lands shall be good.

V. If he do not satisfie the Debt within that quarter, all his Goods shall be delivered to the Merchant by a reasonable price, to hold them untill the Debt be wholly levied: nevertheless his body shall still remain in prison, and the Merchant shall have the Road and Water.

VI. The Merchant or his Assigns shall have such Seisin in the Lands, that he may maintain a Writ of *Novel disseisin* if he be wronged, and a *Re-disseisin* also, as of a free-hold to him, and so on, untill the Debt be paid; but when the Debt is levied, the Lands of the Debtor shall be delivered, together with his

VII. In the Writ awarded by the Chancellor, the Sheriff shall be directed to certifie the Justices, of one of the Benches, within a certain day how he hath performed the service; and if the Merchant shall sue before the said Justices, if he be not

VIII. If the Sheriff make no return of the Writ, or return a bad one, or that he hath directed it to the Bayliff of some Franchise,

chise, the Justice shall proceed according to the Statute of Westminster. 2. ca. 39. (which see in Return of Sheriffs and Bailiffs.)

XVI. If the Sheriff return a *Non est inventus*, or the Clerk, the Merchant shall have Writs to all the Sheriffs who hath any Land, that they shall deliver him all the Goods and Lands of the Debtor by a reasonable extent, to hold to him or his assigns in form aforesaid: nevertheless, he may also have Writ to what Sheriff he will, to take his body, (if he be lay) to detain him in manner aforesaid; and the Keeper must deliver the Body or the Debt. But yet the Debtor may sell the Land so the Merchant be not damnified by the appraisement.

XVII. Here, the Merchants shall be always allowed their damages, and all necessary and reasonable costs for their labours, suits, delays, and expences.

XVIII. If the Debtor have Sureties, the like course shall be taken against them as is above limited to be taken against the principal Debtor.

XIX. All the Lands in the hands of the Debtor at the time the Recognizance acknowledged are chargeable, into whose hands soever they come afterwards; but after the Debt satisfied, they shall return to the Grantees, as also the rest to the Debtor.

XX. If the Debtor or his Sureties die, the Merchant shall take the body of his Heir, but shall have his Lands, as aforesaid, if he be of age, or at his full age, untill he hath levied his Debt.

XXI. There shall be also another Seal provided that shall be used for Fairs, and shall be sent to every Fair under the King's Signet by a Clerk sworn, or by a Keeper of the Fair.

XXII. Of the Commonalty of London there shall be two Merchants chosen and sworn, and the Seal shall be opened by them, whereof one piece shall be delivered to the said Merchant and the other shall remain with the Clerk.

XXIII. Before these Merchants, or one of them, the Recognizances shall be taken; and before they be inrolled, the Statute shall be openly read before the Debtor, that he may not afterwards excuse himself by ignorance of the said Statute.

XXIV. For the Clerks maintenance, the King shall give a penny for every pound where the Seal is; except in Fairs, where there a penny half-penny.

XXV. This Act shall be from henceforth observed throughout England and Ireland between any that will make Recognizances, except Jews, to whom it doth not extend.

XXVI. By this Statute the Writ of Debt shall not be used, neither shall the Chancellor, Justices of either Bench or Justices in Error, be hereby estopped to take Recognizances of Debt before them acknowledged, and to issue execution thereupon, as hath heretofore been used.

Breve fundatum super Statutum prædictum:

Quia coram tali Majore vel Custode talis ville, Custode sigilli nostri de Mercatoribus in nundinis de tali tali clerico nostro, A. Recognovit debite B. tantum, quod debuit tali die & tali anno, quod idem B. nondum solvit, Tibi præcipimus, quod corpus prædicti A. (si laicus sit) & in prisona nostra salvo custodiri facias, quousque de prædicto satisfecerit; & qualiter hoc præceptum nostrum fueris scire facias Justiciariis nostris apud Westm. per litteras sigillatas, & habeas ibi hoc breve. Teste, &c.

XXVIII. Stat. 14 E. 3. 11. The Clerk of the Statute shall be resident upon his Office, and shall have Lands sufficient in the County, whereof he may answer to all persons if he offend.

XXIX. Stat. 8 R. 2. 4. No Judge or Clerk shall make any entry of Pleas, raise any Roll, or change any Verdict, in which to be punished by fine and ransom at the King's will.

XXX. Stat. 5 H. 4. 12. When a Statute Merchant hath been committed into the Chancery, and thereupon a Writ awarded to the Sheriff, and returned into the Common Pleas, and the Statute there once shewed, albeit the process thereof be after that discontinued, yet the party shall have the process re-continued, and shall also have re-execution upon the same Statute, without shewing it again to the Court.

XXXI. Stat. 11 H. 6. 10. He that sueth for a Scire facias in Chancery, to defeat an Execution upon a Statute-staple, shall be surety both to the King and the Recognisee to prosecute his writ with effect, &c.

XXXII. Stat. 23 H. 8. 6. The Chief Justices of the King's Bench and Common Pleas, or either of them, or (in their absence out of the Term) the Mayor of the Staple at Westminster and the Recorder of London, jointly together, shall have power to take Recognizances for the payment of Debt, in this form following.

*Noverint universi per present. nos A. B. & D. C. te-
nere & firmiter obligari Johanni Style in cent. libr. Sterling. sol-
vendi eidem Johanni, aut suo cert. Attornat. hoc script. ostend.
vel execut. suis, in tal. fest. &c. proxim. futur. post. dar.
Et si defecero, vel defecerimus, in solutione debiti prædicti.
& conced. vel sic, volumus & concedimus, quod tunc currat
contra nos, hered. & execut. meos, vel, super nos, & quemlibet
nostros, hered. & execut. nostros, pœna in statuta Stapul. de de-
bitis Merchandis in ead. empris recuperand. ordinat. & provis.
in tal. die, anno Regni Regis, &c.*

XXXIV. Such Obligation shall be sealed with the Seal of the Recognisor or Recognisors, as also with such a Seal as the King shall appoint for that purpose, and with the Seal of one of the Justices, or the Seals of the said Mayor of the Staple and Recorder.

Recorder, and every of the said Justices: and the said Mayor and Recorder shall have the custody of one such Seal to be appointed by the King, as aforesaid.

XXXV. The Clerk of the Recognizances, (to be also appointed by the King) or his sufficient Deputy or Deputies, shall write and inroll such Obligations in two several Rolls indented, whereof one shall remain with such of the said Justices (or with the said Mayor and Recorder) as take such Recognizance, and the other with the writer thereof: also such Clerk, or his Deputy or Deputies, shall be dwelling or abiding in *London*, and shall not be absent from thence by the space of two days, in pain to forfeit 10*l*.

XXXVI. The Clerk or his Deputy (at the request of the Creditors, their Executors or Administrators) shall certifye such Obligations in the Chancery under his or their Seal.

XXXVII. The Recognisees of such Obligations, their Executors and Administrators, shall have in every point, degree and condition, against the Recognisors, their Heirs, Executors and Administrators, such Process, Execution, commodity and advantage, as hath been had upon an Obligation of the Statute of the Staple, and shall also pay like Fees for the same.

XXXVIII. Here the Recognisor so bounden, or otherwise grieved by such an Obligation, shall have like remedy by *Audita querela*, and all other remedies in the Law, as upon Obligations of the Statute of the Staple.

XXXIX. Upon the sealing of the process for the execution of every such Obligation, the King shall have an half-peny in the pound.

XL. The Tenant by such a Recognizance, his Executors or Administrators, being outed, shall have like remedy as upon an Obligation of the Statute of the Staple.

XLI. The Justices or the Mayor and Recorders fee for taking such a Recognizance is 3*s*. 4*d*. and the Clerks fee is as much, and his fee for certifying such an Obligation is 2*od*. And none of them shall take more, in pain of 40*l*.

XLII. From henceforth the Mayor or Constable of the Staple shall take no Recognizance of the Statute of the Staple, in pain of 40*l*. except between Merchants being free of the same Staple, for the merchandise of the said Staple, between them lawfully bought & sold.

XLIII. The forfeitures aforesaid are to be divided between the King and the Prosecutor, and proved by information, Action, Debt, Bill, or Plaint, in which no *Essoin*, &c. shall be allowed.

XLIV. Stat. 16 & 17 Car. 2. Cap. 5. When any Judgment, Statute or Recognizance shall be extended, it shall not be avoided or delayed by occasion that any part of the lands extended be omitted, saving to the party whose lands are extended his remedy for contribution.

XLV. Provided that this Act shall not give any extent or contribution against an Heir within age in respect of Lands descended

otherwise

than before the making of this Act: and shall extend only to Statutes for payment of money, and extents within any years after the Judgment, &c. had and obtained.

VI. This Act shall continue for three years, and from thence to the end of the next Session of Parliament.

VII. Stat. 22 & 23 Car. 2. Cap. 2. The Act of 16. El. of the King that now is, to prevent delays in extending Judgments and Recognisances shall be perpetual from the end of the last Session of Parliament.

Records.

I. Stat. 9 E. 3. 5. Justices of Assize, Gaol- delivery and Oyer and Terminer, shall yearly at *Michaelmas* send all their Records and Processess (determined and put in execution) into the Exchequer, which the Treasurer and Chamberlains there shall receive under their seals, and keep them in the Treasury: Howbeit the said Justices shall first take out the Estreats of the said Records and Processess, to send them to the Exchequer, as they were wont to doe.

Recoveries.

I. Stat. 7 H. 8. Recoverers of Manors, Lands, Tenements and Advowsons, their Heirs and Assigns, may distrain for Rents, Services and Customs due and unpaid, and make avowry and justify the same, and have like remedy for recovering them, as the Recoverers might have done or had; albeit the said Recoverers have never seised thereof; and shall also have a *Quare impedit* in advowson, if (upon a Voidance) any disturbance be made by strangers, as the Recoverers might have had albeit they have never seised thereof by presentation.

II. Here, every Avowant or Bayliff in any *Replegiary*, or second Avowance, if their Avowry, Conusance or Justification be found against them, or the Plaintiff be otherwise barred, shall recover his costs and costs.

III. Stat. 21 H. 8. 15. A Termor for years may falsifie a Recovery had against them in the Reversion, and shall recover his Term against the Recoverer, his Heirs and assigns according to his Lease.

IV. Also the Recoverer shall have like remedy against the Termor, his Executors or Assigns, by Avowry or Action of Trespass for Rents and Services reserved upon such Lease, and due to such Recovery, and also like Action for waste done after such

such Recovery, as the Lessor might have had if such Recovery had never been.

V. No Statute of the Staple, Statute-Merchant, or execution by *Elegit*, shall be avoided by such feigned Recovery, but such Tenants shall also have like remedy to falsifie such Recoveries, as is here provided for the Lessee for years.

VI. Stat. 34 & 35 H. 8. 20. No feigned Recovery hereafter to be had by assent of parties against any Tenant or Tenants in tail of any Lands, Tenements or Hereditaments, whereof the reversion or remainder at the time of such recovery had shall be in the King, shall bind or conclude the Heirs in tail, whether any condition or Voucher be had in any such feigned Recovery or not; but that after the death of every such Tenant in tail, against whom such Recovery shall be had, the Heirs in tail may enter, hold and enjoy the Lands, Tenements and Hereditaments so recovered, according to the form of the gift in tail, the said Recovery notwithstanding.

VII. And here the Heirs of every such Tenant in tail, against whom any such Recovery shall be had, shall take no advantage for any recompence in value against the Voucher or his Heirs.

VIII. This Act shall not extend to prejudice the Lessor or Lessees of any such Tenant in tail made in writing indented of any Manors, Lands, &c. for twenty one years, or three lives, or under, whereupon the accustomed rent or rents is or shall be yearly reserved during the same term or terms; but the same Lessor or Lessees, shall enjoy his or their term or terms, according to the Statute of 32 H. 8. 28. (*which see in Leases*) this Act notwithstanding.

IX. Stat. 14 El. 8. All Recoveries had or prosecuted (by agreement of the parties, or by covin) against Tenants by the courtlesie, Tenants in tail after possibility of issue extinct, for term of Life or Lives, or of Estates determinable upon Life or Lives, or of any Lands, Tenements or Hereditaments, whereof such particular Tenant is so seised, or against any other, with Voucher over of any such particular Tenant, or of any having right or title to any such particular Estate, shall from henceforth (as against the Reversioners, or them in remainder, and against their Heirs and Successors) be clearly void.

X. This Act shall not prejudice any person that shall by good title recover any Lands, &c. without fraud, by reason of any former right or title. Also every such Recovery had by the assent and agreement of the person in reversion or remainder, appearing of Record in any of the Queen's Courts, shall be good against the party so assenting.

Rectory.

Stat. 13 & 14 Car. 2. Cap. 25. All conveyances by pre-
sented Delinquents for adhering to the late King, or the King
now is, their Heirs, Executors, Trustees, or others seiz'd
jointly or in common with them, or in Reversion or remainder
of them to Trustees appointed by the long Parliament, for
augmentation of Vicarages and maintenance of Ministers, of Ad-
vowsons, Rectories impropriate, Glebe lands, Annuities, Rents, &c.
capable in full of their composition for such Delinquency, shall
be void from henceforth.

II. And whereas such Trustees redemised the same at such
rents as were appointed to be the augmentation or maintenance
aforesaid, since which time many of the Rectories and Lands so
redemised have been sold, and the redemises assign'd by the
owners for benefit of Purchasers, such Purchasers shall pay to the
former Owners what was reserv'd upon those redemises, who
shall have such remedy for it, by distress or Action of Debt, as
the Trustees might have had.

Re-disseisin.

I. Merton, 3. 20. H. 3. If any be disseised of their free-
hold, and before the Justices in Eyre hath recovered seisin by
Assise of *Novel disseisin*, or by confession of the disseisors, and
hath had seisin delivered by the Sheriff, if afterwards the same
disseisors disseise the Plaintiff of the same free-hold, and be
thereof convict, they shall be imprisoned, untill the King hath
discharged them by redemption, recognition of Assise, Judgment,
or some other way.

II. This is the form of punishing of such convict persons.
The plaintiff shall procure a Writ from the King's Court, di-
rected to the Sheriff, and containing the plaint of disseisin done
by disseisin: by this Writ the Sheriff shall be commanded,
that he, taking with him the keepers of the Pleas of the Crown
and other lawfull Knights, shall in proper person go to the Land
or Pasture whereof the plaint was made; where, if they find him
disseised again, the Sheriff is to doe as is above provided, but
that the Plaintiff shall be amerced, and the other shall go
free. Howbeit the Sheriff shall not execute any such plaint
without the King's special command.

III. There is the like Law for such as recover their seisin by
Assise of *Mortdancestor*, or by Inquests, if they be re-disseised by
the said disseisors.

IV. Marlb. 8. 52 H. 3. Persons imprisoned for Re-disseisin
shall not be delivered without the King's special command, and
shall make fine to the King for their trespass: And if the Sheriff
deliver

deliver any contrary to this Ordinance, he shall be punished, amerced, and yet the persons so delivered shall be also punished for their trespass.

V. *West.* 2. 26. 13. E. 1. In Writs of Re-disseisin damages shall be awarded, and the Re-disseisors shall not be pleivable by the common Writ.

VI. Those that recover by default, reddition, or otherwise without recognition of Assizes or Juries, shall have Writs of Re-disseisin, as well as those which recover by Assize of Novel *seisin*, *Mortdancester*, or other Juries, provided for by the Statute of *Merton*.

Relief.

I. *Magna Chart.* 2. When Lands holden of the King in chief by Knights service descend to an Heir of full age, the Relief shall be as followeth: for an Earldom, 100 *l.* for a Barony, 100 marks for one whole Knights fee, 100 *s.* And he that hath less shall give less, according to the old custome of the fees.

Rents.

I. *Stat.* 23 H. 8. 37. The Executors or Administrators of Tenants in fee-simple, in fee-tail, or for term of life, or rent-services, rent-charges, rent-secks, and fee-farms, unto whom any such rent or fee-farm was due and unpaid at the time of their death, shall have Action of Debt for all the Arrearages thereof against the Tenant or Tenants that ought to have paid them to their Testator, or against the Executors or Administrators of such Tenant or Tenants; and shall also distrain for the said Arrearages upon the lands chargeable therewith, so long as they continue in the seisin or possession of such Tenant in Demefne, or of any other person claiming by or from him, in like manner as their Testator might have done: And the said Executors or Administrators shall likewise for the same distress lawfully make avowry upon the matter aforesaid.

II. This Act shall not extend to any Manor, Lordship or Dominion in *Wales* or the Marches thereof where the Inhabitants have used time out of mind to pay to every Lord or Owner of such Manors, &c. at their first entry into the same any sum of money for the discharge of all duties, forfeitures and penalties wherewith the Inhabitants were chargeable to any of their Lords, Ancestors or Predecessors before their such entry.

III. If any person hath in right of his wife any estate in fee-simple, fee-tail, or for term of life, in any such rents or fee-farms, and the same happen to be due and unpaid in his Wifes life, his

Husband,

After the death of his Wife, his Executors and Admin-
istrators shall have an Action of Debt for the said Arrearages
due to the Tenant of the Demefne that ought to have paid the
same to the Executors or Administrators, and shall likewise distrain
the Tenant, and make Avowry, as he might have done if his
Wife were living. The like power hath the Tenant *pur auter vie* for
the Arrearages due and unpaid in the life-time of *Cestuy que vie*.

Repleader.

1 Stat. 32 H. 8. 30. In all Actions, after issue had, there
shall be judgment given, notwithstanding any mis-pleading, lack
of colour in sufficient pleading, or *Jeofaile*, Miscontinuance, Dis-
continuance, mis-conveying of Process, mis-joining of Issue, lack
of Attorney of the party against whom the issue shall
be tried, or any other default or negligence of any of the parties,
the Counsellors or Attorneys.

Provided, that every Attorney shall deliver, or cause to be
delivered, his or their sufficient and lawfull Warrant of Attorney,
to be entred of Record for every Action or Suit wherein he is
Attorney, to the Officer or his Deputy ordained for the
receipt and entring thereof, in the same Term when the issue of
the said Action is entred of Record, or before, in pain to forfeit
the said Attorney the King, and to suffer imprisonment at the discretion of
the Justices of the Court where such Action depends.

Replevin of Cattel.

Stat. 21. 52 H. 3. If Beasts be taken, and wrongfully
detained, the Sheriff (upon complaint thereof) may deliver
them without let or gainsaying of him that took them, if they
be taken out of Liberties; but if within any Liberties, and the
Justice thereof will not deliver them, the Sheriff, upon such
default, shall cause them to be delivered.

Stat. 2. 2. 13 E. 1. Where, upon Replevins, Lords can-
not obtain Justice in Counties and other inferior Courts against
their Tenants, when such Lords are attached at their Tenants suit,
they shall be granted them (*viz.* a *Recordare*) to remove the
cause to the Justices, where justice shall be done them; and
the cause shall be inserted in the Writ, *viz.* because such a man
is attached in his fee for services and customs to him due.

Here, the Avowry shall be upon the seisin of any Ancestor
or Antecessor, since the time that a Writ of *Novel disseisin* hath

The Sheriff or Bayliffs shall not onely take pledges of the
defendant to prosecute his suit, but also return the Cattel, in case
return

490
return be awarded ; and if pledges be otherwise taken, he shall answer the Lord for the price of the Beasts, so be recovered by Writ : and if the Bailiff be non able to restore them, his Superior shall doe it.

V. If, after return once awarded, the Beasts are again replevied, or as soon as the return of the Beasts is the second time awarded, the Sheriff shall be commanded by a judicial Writ to make return thereof to the distrainer ; in which Writ it shall be expressed, that the Sheriff shall not deliver them without a Writ making mention of the Judgment given by the Justices, and such Writ is to issue out of the Rolls of the said Justices : after which if the Plaintiff desire to replevy his Beasts, he shall have a judicial Writ, (*viz.* a *Writ of second deliverance*) that the Sheriff taking Surety for the Suit, and also of the Beasts to be returned, or their price, (if return be awarded) shall deliver the Beasts before returned, and the distrainer shall be attached to come before the Justices at a certain day ; and if he that replevied make default, or for some other cause return of the Beasts is awarded, (being now twice replevied) the distress shall afterwards remain unreplevied.

Receipt.

I. The Statute of Gloucester, 11. 6 E. 1. When a man loseth his Tenement in London, and he in reversion or remainder causeth himself to be impleaded by Collusion, and, to make the Termor lose his term, loseth by default, or giveth it up ; in such case the Mayor and Bailiffs may enquire by Inquest, whether the plea was moved upon good right, or by covin : and if it be found that it was upon good right, judgment shall be forthwith given ; but if it be found by fraud, to cause the Termor to lose his term, the Termor shall enjoy his term, and the execution of the judgment for the demandant shall be suspended untill the term be expired. In like manner shall it be of equity before the Justices if the Termor challenge it before the Judgment.

II. Stat. de Defensione Juris, 20. E. 1. When any man demandeth Tenements by the King's Writ, and a Stranger comes in by a Collateral Title, and desireth to be received, before his Receipt he shall find sufficient surety (which the Court will award) to satisfie the demandant the value of the thing so to be recovered, from the day that he is so received, until the judgment given to the demandant.

III. Here, if the demandant recover, the defendant shall be grievously amerced ; and if he have not whereof, he shall be imprisoned at the King's pleasure ; but if he can prove his innocence he shall go quit.

12 R. 2. 19. If any Tenant for life, in Dower, by England, or in tail after possibility of issue extinct, be received to defend his right, at the day that the Tenant is to the Action, or before; he shall be then received to his right, and after such receipt the business shall be as much as may be by the Law, without any delay what- either side: And therefore, here days of grace shall be in the discretion of the Judges between the demandant and defendant to be received, and not the common day in plea of land, if the demandant will thereunto consent; lest the demandant may be too much delayed, because they must plead to two

howbeit they in reversion, who so pray to be received shall find sureties for the issues of the Tenements determined for the time that the demandants be delayed, after determined between the Demandants, and Tenants, if the same pass for the demandant against them in the reversion, as well where the receipt is counter-pleaded, as where it is pleaded.

Residence.

11 H. 7. 1. 8. 9 E. 2. Such Clerks as attend in the service, if any offend, shall be corrected by the Ordina- others be: howbeit, so long as they be employed about the service, they shall not be bound to keep residence in Churches, To this was added by the Kings Council, The and his Ancestors time out of mind have used, that Clerks employed in his service, during the time they are so in service, shall not be compelled to keep residence in their Churches; and such things as be thought necessary for the Commonwealch ought not to be prejudicial to the

21 H. 8. 13. No Spiritual person shall take to himself, or to any other for his use) any Lands or o- herment for life, years, or at will, in pain to forfeit for every month he so continues the same, to be divided between the King and the prosecutor.

This Act shall not extend to any Spiritual person for ta- ing any Temporalities (during the time of Vacation) of Bishopricks, Bishopricks, Abbeyes, Priories, or Colle- gial, or Conventual Churches; nor to any such per- son shall tender or make any traverse upon any Office con- cerning freehold.

No Spiritual person shall (by himself, or any other for his use) sell again for profit, any Cattle, Victual, or Mer- chandise, whatsoever, in pain to forfeit treble the value thereof,

to be divided betwixt the King and the prosecutor, such bargain shall be void.

V. Howbeit, a spiritual person may buy Horses, Mares, or other Goods, for his necessary use and employment, if they happen not fit for his turn, may sell them again, to be done without fraud or covin.

VI. Also Abbots, Priors, Abbesses, Priorelles, Provosts, Rectors, and Masters of Colleges and Hospitals, and all Spiritual Governours and Governesses of any Houses or Monasteries having Lands of the yearly value of eight hundred marks or more, may use and occupy so much thereof for the maintenance of their Houses as they or any of their Predecessors have done within a hundred years last past, notwithstanding this Act.

VII. Likewise Spiritual persons, not having sufficient Demefne-lands in right of their Churches or Houses, may (notwithstanding this Act) for the onely expences of their Houses, and for their Carriages and Journeys, take in farm other Lands, and buy and sell Corn and Cattel, for the onely manuring and pasturage of such Farms; so as it be done for such purposes without fraud or covin.

VIII. If any person having a Benefice with Cure of Souls, the yearly value of eight pound or above, accept of another Benefice with Cure of souls, and be Instituted and Inducted in the second of the same, immediately upon such possession thereof the first Benefice shall be adjudged void; and then it shall be lawful for the Patron thereof to present another, as if the Incumbent had died or resigned, any Licence, Union or other dispensation to the contrary notwithstanding.

IX. Every Licence, Union or other Dispensation obtained contrary to this Act shall be void. And none shall obtain (from any person or elsewhere) any Licence Union, Toleration or Dispensation to receive any Benefice with Cure, in pain of 20 l. to be levied betwixt the King and the prosecutor.

X. Provided, that every Spiritual person of the King's Household may purchase Licence or Dispensation to keep three Benefices with Cure; and the Chaplains of the King, Queen, Prince, Children, Brethren, Sisters, Uncles or Aunts, may so long as they live keep of them two.

XI. Also an Archbishop and Duke may have each of them six Chaplains, a Marquess and Earl five; a Viscount, and Baron four; the Chancellor, every Baron and Knight of the shire three; every Dutchess, Marchioness, Countess and Baroness two; the Treasurer and Comptroller of the King's House, the King's Secretary, and Dean of his Chapel, the King's Almoner, and Master of the Rolls, each of them two; the Chief Justice of the King's Bench, and Warden of the Exchequer, each of them one; and each of the aforesaid Chaplains may purchase Licence or Dispensation to keep two Benefices.

the brethren and sons of Temporal Lords (born in wedlock) may purchase such Licence or Dispensation to keep two Benefices with Cure as the Chaplains of a Duke or Arch-bishop, the brethren or sons (born in wedlock) of every Baron may keep two.

Provided, that the aforesaid Chaplain shall exhibit (and shall be) Letters under the Sign or Seal of the King, or other Lord and Master, testifying whose Chaplains they are not to enjoy such Plurality of Benefices.

Also Doctors and Bachelors of Divinity, Doctors of Law, and Bachelors of Law-Canon, admitted to their degrees in the Universities of this Realm, and not by Grace, may purchase such Licence to keep two Benefices with

And because Archbishops must use (at Consecration of Churches) eight Chaplains, and Bishops (at giving of Orders and consecration of Churches) six; every of them may have two more over and above the number limited.

Every Spiritual person that is advanced (by colour of this Act) to keep more Benefices with Cure than is above limited, shall incur the penalty above provided by this Act.

Every Spiritual person promoted to any Arch-deaconry, or Dignity in a Monastery or Cathedral Church, or in any Church, Conventual or Collegiate, or being beneficed with Vicarage or Vicarage, shall be personally resident and answer for his said Dignity, Prebend, or Benefice, or one of them, at least; in apin to forfeit, for not being so resident by the space of a month together, or of two months (to be accounted three times) in any one year, the sume of 10*l.* to be divided between the King and the Prosecutor.

None shall obtain (from *Rome* or elsewhere) any Licence or Dispensation to be non-resident, in pain of 20*l.* to be levied upon the said person.

Howbeit, this Act shall not extend to any Spiritual person in the King's service beyond Sea, or upon a Pilgrimage abroad, during the time that he shall be so in the King's service, or upon the said Pilgrimage; nor to any Scholar abiding abroad (without fraud) at any University within this Realm; nor to any of the King or Queens Chaplains in ordinary; neither to any of the other aforesaid Chaplains, which shall daily attend the King or Masters households, so long as they so attend, with the King or to the Masters of the Rolls, Dean of the Archer, Chancellor or Commissary of any Archbishop or Bishop, the Masters of the Chancery, or the twelve Advocates of the Exchequer (being Clergy-men) so long as they execute their Offices; nor to any Spiritual person compelled by the injunctions of the Lord Chancellor, or the King's Council, to daily appear in answer the Law, so long as he shall be so enjoined.

XX. Also a Spiritual person (being the King's Chaplain) accept (of the King's gift) any Benefices, to what place ever, without the incurring the Penalty of this Act: but the King may also license his Chaplains for Non-residence in Benefices, notwithstanding this Act.

XXI. No Spiritual person shall take in farm any Parsonage Vicarage, in pain to forfeit 40 s. for every week that he or other (for his use) so occupies the same, and also ten times the value of the profit or rent that he makes thereof: both these forfeitures are to be divided betwixt the King and the Bishop for.

XXII. Provided, that no Deanry, Archdeaconry, Canonry, Iorship, Treasurership, Chantership, or Prebend in any Cathedral or Collegiate-Church, nor Parsonage that hath a Vicarage, nor any Benefice perpetually appropriate, shall be taken to be a Benefice with Cure of Souls.

XXIII. No Spiritual person, or any other for his use, shall keep any Tan-house or, Brew-house, in pain to forfeit for every month so using the same 10 l. to be divided as aforesaid: Howbeit, he may here have a Brew-house for his own private use.

XXIV. Every Dutcheffs, Marchioness, Countess or Baronesse, Widows, shall retain their privileges concerning Chaplains notwithstanding their intermarriages with other persons of the same degree.

XXV. All Spiritual persons having possessions in right of houses above the value of eight hundred Marks, may take as much thereof as shall be necessary for the maintenance of their households, notwithstanding this Act: or may take a house with Orchards and Gardens for their dwelling, (so as the colour thereof) they take not liberty to be non-resident.

XXVI. Stat. 25 H. 8. 16. Every Judge of the King's Bench and Common Pleas, the Chancellor and chief Baron of the Exchequer, and the King's Attorney and Solicitor General, each of them have one Chaplain to be attendant to his person, having one Benefice with Cure, who may be non-resident in the same.

XXVII. Stat. 28 H. 8. 13. Every Spiritual person above the age of forty years, being Beneficed, (the Chancellor, Bishop, chancellor, Commissary, Rulers of Colleges or Halls, Professors of the Chair, and Readers of Divinity in either of the Universities, onely excepted) shall be resident upon one of their Benefices, according to the Statute of 21 H. 8. 13. upon pain therein provided for Non-residence.

XXVIII. Also every Beneficed person under the age of forty years, abiding in either of the Universities, shall not enjoy the privilege of Non-residence provided by the said Statute of 21 H. 8. unless he be present at ordinary Lectures, both in the

in proper person perform his Exercises, according to the Statutes of the University where he so abides. This Statute shall not extend to any Reader of any Lecture in Divinity, Law-Civil, Physick, Philosophy, or any of the Liberal Sciences; nor to Interpreters of the Hebrew, Chaldee or Greek Tongues, in either of the Universities; nor yet to any person who shall repair thither to proceed Doctor in Divinity, Law or Physick, for the order of their proceedings there, according to the Statutes of the Universities.

III. Stat. 33 H. 8. 28. The Chancellors of the Courts of Chancery of *Lancaster*, Augmentations, and First-fruits, the Masters of the Wards, every of the King's Surveyers General, the Masters of the King's Chamber and the said Court of Augmentations, and the Groom of the King's Stool, may each of them choose one Chaplain, to be attendant to his person, having one Cure with Cure, who may be non-resident upon the same. Every such Chaplain shall at least twice every year resort to his Benefice, and abide there eight days at every such visit, to visit and instruct his Cure, in pain to forfeit every time 40 s. to be divided betwixt the King and the prosecutor.

Restitution.

Stat. 21 H. 8. 11. Where a Felon robbeth or taketh away Money or Goods of any, and is thereof found guilty, or otherwise attainted by the evidence given by the party himself, or by his procurement, in this case the Justices of Gaol-delivery, or other Justices before whom he is found guilty or attainted, have power to award a Writ of Restitution for the Money or Goods so robbed or taken, in like manner as if the Felon were found at the suit of the party in appeal.

Return of Sheriffs and Bayliffs.

Stat. 2. 39. 13 E. 1. Such as do fear the ill execution of the Writ by the Sheriff, shall deliver their Writs unto him in open Court, or in the reer-Country, and shall take of him or his Under-sheriff a Bill, containing the names of the Demandants and Defendants mentioned in the Writ, and require the Sheriff or Under-sheriff to put the Seal thereunto; and mention shall be made of the day of the deliverance thereof: and if the Sheriff or Under-sheriff refuse to doe it, the testimony of the Demandants, and other credible persons there present, that put their names to such Bill, shall be taken.

II. If the Sheriff will not return Writs delivered upon complaint thereof to the Justices, a Judicial Writ shall be delivered to the Justices of Assize, to enquire by such as were to return the Writ, whether they knew of the deliverance thereof, and to what use it shall be thereupon returned: and if it be found by them that the Writ was delivered, damages shall be awarded to the Plaintiff or Demandant, having respect to the quality and quantity of the Action, and the peril he might incur by reason of such delay. And this is to prevent the return of the Sheriff by Tardiness.

III. And for that the Sheriff sometime returneth a *Ballivo* of a Liberty, where there is none such, the Treasurer of the Exchequer shall deliver to the Justices in a Roll all the Liberties (in every County) that have return of Writs; and if the Sheriff return a *Mandavi Ballivo* of a Liberty not contained in the said Roll, he shall be punished as a disseisor of the King's Crown. And if he return a *Mandavi Ballivo* of a Liberty which hath return, he shall have a *Non omittas propter aliquam causam* to do it, and shall be commanded to warn the parties thereof to be ready at a day to be named in the Writ to answer why they did not execute the King's Precept: when, if they do not appear and acquit themselves, that no return was made to them, the Sheriff shall be condemned to the Lord of the Liberty, and shall render damages to the party grieved by such delay: but if the Bailiffs appear nor, or do not acquit themselves, as aforesaid, for every Judicial Writ (so long as the Plea hangeth) the Sheriff shall have a *Non omittas*, &c.

IV. As concerning the Sheriff's return of issues, if the Plaintiff demand *Oyer* of the Sheriff's return, it shall be granted him; and if he aver that the Sheriff might have returned greater issues than the King, he shall have a Writ Judicial unto the Justices of Assize, to enquire, in the presence of the Sheriff, (if he will be there) what issues the Sheriff might have returned from the time of the return of the Writ: And when the Inquest is returned, if he have not before answered the whole, he shall be charged with the Overplus by estreats out of the Exchequer, and shall be grievously amerced for the Concealment. And his Rents, Corn in the grange, and all movables, (except Horses, Harness, and Household-stuff) are comprized under the name of *Issues*.

V. The King commands that the Sheriffs shall be punished by the Justices once or twice (if need be) for such false returns. For the first offence, with the second offence none shall meddle but the King's Bench, with the third offence none shall meddle but the King.

VI. The Sheriff must beware of returning a *Rescue*, for such answers tend much to the dishonour of the King: But when the Bailiffs resist such resistance, forthwith the Sheriff, (all other business laid aside) taking with him the *Posse Comitatus*, and a proper person to do execution: and if he find the Bailiffs false, he shall punish them by imprisonment; and if

imprison the refusers, from whence they shall not be
without the King's special command.

Also in case of resistance, the Sheriff shall certify the
names of the Refusers, their Aiders, Consenters,
and Favourers, and by a Writ Judicial they shall
be by their bodies to appear in Court; where, if they
they shall be punished at the King's pleasure. See this
confirmed in *Art. Super Chartas*, 16. 28 E. 1.

Stat. 12 E. 2. 5. An Indenture shall be made between
Sheriff and Bailiff of a Franchise under their names of every
delivered by the Bailiff to the Sheriff; and if the Sheriff
return to delivered, and be thereof convicted, he shall be
by the King, and yield to the Lord of the Liberty and
grieved double damages.

Sheriffs and Bailiffs shall set their names to their returns,
be grievously amerced to the King's use.

Stat. 2 E. 3. 3. At what time and place in the County a
Writ to the Sheriff or Under-sheriff, they shall
delate, and make him a Bill, according to the Statute
2. 39. without taking any thing for the same: and if
to make such a Bill, others there present shall set to
call: and if the Sheriff or Under-sheriff return not such
they shall be punished according to the said Statute. Also
Justices of Assize shall have power to enquire thereof, and
damages, having respect to the delay, and likewise to
and damage that might happen.

Richmond.

Stat. 26 H. 1. 5. A Statute shewing what duties Spiritual
Beneficed in the Arch-deaconry of Richmond shall take
the decease of any person there.

Rye and Winchelsey.

Stat. 2 E. 6. 30. An Act was made against Ballast to be
the Chancel there.

Right.

Magna Charta, 24. 9 H. 3. The Writ called *Præcipe in*
shall be granted to no man upon any Free-hold, whereby
man may lose his Court.

Riots, Routs, and unlawfull Assemblies

I. Stat. 27 R. 2. 8. The Sheriffs and all other the Officers shall suppress Rioters, and imprison them, and others offending against the Peace.

II. Stat. 13 H. 4. 7. The Justices of Peace, or them (at least) together with the Sheriff or Under-sheriff, by the power of the County suppress Riots, Routs, and full Assemblies, arrest the Offenders, and record what is done: By which Record of the said Justices, and Sheriff or Under-sheriff, the Offenders shall stand convict, as by the Statute 15 R. 2. 2. in case of Forcible Entries, (which see in Part I.) And if the Offenders be departed, the said Justices, and Sheriff or Under-sheriff, shall within a month after make enquiry of, and hear and determine the same according to Law.

III. If upon such enquiry the truth cannot be discovered in manner aforesaid, then shall the said Officers within one month after such enquiry certify the fault, together with the circumstances thereof, unto the King and his Council: which Certificate of theirs shall be in the nature of a presentment by twelve knights upon the Offenders shall be brought to answer, and those who be found guilty shall be punished at the discretion of the King and his Council.

IV. If the Offenders traverse the said Certificate, then they together with the Traverse, shall be sent into the King's Bench there to be tried.

V. If the Offenders upon the first Precept do not appear before the Council, or in the King's Bench, a second Precept shall issue forth; upon which if they cannot be found, or within four weeks after Proclamation made against them in the next County Court after the delivery of the second Precept they do not make their appearance before the Council, in the King's Bench, or in the Chancery, (in Vacation-time) upon return of the said Proclamation, they shall stand convict and attainted of the offence committed.

VI. Justices of the Peace dwelling near the place where the Offences shall be committed, and Justices of Assize for the County where they shall be in their Sessions, (in case any be then committed) shall do execution of this Act, in pain of 100 l.

VII. Stat. 2 H. 5. 8. If default be found in the Justices of Peace or Assize, or in the Sheriff or Under-sheriff, in the execution of 13 H. 4. 7. at the instance of the party complaining, the King's Commission shall go out to enquire as well of the truth of the case and original matter, as of the defaults aforesaid.

...ent men of the County, at the discretion of the Lord Chancellor; which Commissioners shall presently return into the County the Inquests and matters before them found.

...here, during the Sheriffs or Under-Sheriffs remaining in Office, the Coronors shall impanell the Jury, each of them having Lands worth 10 *l. per annum* at least; and upon each of them, for making default, the Coronors shall return Issues, viz. for the first day 20 *s.* for the second 40 *s.* for the third 5 *l.* and for the fourth after double: And all this the Coronor shall do in pain of default; but in case the Sheriff or Under-Sheriff, reputed in default, be discharged of their Office, the new Sheriff shall do what the Coronors are above enjoyned to do, and shall incur no penalty, if they therein make default.

The Lord Chancellor, upon knowledge of any such offence, shall send the King's Writ to the Justices of Peace, Sheriff or Under-Sheriff of the same County, to put the said Statute of 13 Edw. 1. in execution, upon the pain therein contained. But although no such Writ be sent, yet shall they not be excused of the offence, if they make no execution of the same Statute.

A Riot, &c. shall be repressed and enquired of at the King's Command, which the Sheriff shall disburse by Indenture betwixt the Justices of Peace and him, and shall be answered him again upon return of account in the Exchequer.

Persons guilty of heinous Riots shall suffer one whole year imprisonment without bail; but petty Rioters shall be imprisoned as shall seem best to the King and his Council: and heavier Fines shall be set upon Rioters than in time past, in aid of satisfaction of the Justices and other Officers in that behalf.

All the King's liege people, upon warning, shall be assisted to the Justices, Commissioners, Sheriff and Under-Sheriff as they shall require, upon pain of imprisonment, and to make fine and ransom to the King.

Bayliffs of Franchises shall cause sufficient men to be summoned upon such Inquests, if any such be found within their Franchises. And the Ordinances and pains aforesaid shall extend to all Villages and Liberties, where they have Justices of Peace or Bailiffs themselves.

Stat. 2 H. 5. 9. Upon a Bill of complaint for any Riot or Tumult preferred by the party grieved to the Lord Chancellor or Justice being, together with a suggestion testifying the same, sealed with the seals of two Justices of Peace and the Sheriff of the County, the said Lord Chancellor shall send forth a *Capias*, returnable in the Chancery at a certain day, by which if the parties named, or any of them, be taken, they shall be committed to prison, or set to mainprise, at the discretion of the said Lord Chancellor: And shall be proceeded against as the Law requireth: But if they do not return *Non est inventus*, a Writ of Proclamation (to be returnable two County-Court-days) shall go out, returnable in the

the King's Bench at a certain day; before which if they come themselves, they shall be adjudged convict, and attain'd of the offence suggested.

XV. If the offence be committed within the County of *Lancaster*, or other Franchise where there is a Chancellor's Seal, the Lord Chancellor of *England* shall send a Writ to the Chancellor, commanding him to make such execution as the Act is comprised.

XVI. Stat. 8 H. 6. 14. Two Justices of Peace of Counties where Riots are supposed to be committed shall tell that the common fame runneth in the same Counties of the Riots, before *Capias* shall be awarded according to the Statute 2 H. 5. 9.

XVII. If the offence be committed within a Liberty where there is a Chancellor and a Seal, upon information of the Riot from a Justice of Peace and Sheriff there, the said Chancellor hath power to award Writs of *Capias* and Proclamation, the Chancellor of *England* hath.

XVIII. Stat. 19 H. 7. 13. If any Riot, &c. be committed, the Sheriff upon a precept directed unto him, shall return every four persons, whereof one shall have Free-hold within the same County worth 20 s. *per annum*, or Copy-hold worth 8 d. *per annum*, or Copy-hold and Free-hold together worth 8 d. *per annum*, for to enquire of the said Riot, &c. and shall issue upon every Juror making default, viz. for the first day 8 s. for the second 20 s. And all this the Sheriff shall do in pain of

XIX. If the said Riot, &c. be found by reason of any renance or embracery of the Jurors, then shall the Justice, Sheriff, or Under-sheriff, (besides the Certificate they are to give according to the Statute of 13 H. 4. 7.) certify the names of maintainers and embracers, together with their misdemeanors in pain to forfeit 20 l. a piece; which Certificate shall have force of proving the offence as a Verdict of twelve men; then such maintainers and embracers shall forfeit 20 l. a piece and remain in prison at the discretion of the Justices.

Robberies.

I. Stat. 13 Ed. 1. 9 E. 6. 1. All persons shall be bound to the Summons of the Sheriff and cry of the Countrey to pursue and arrest Felons, in pain (after attainder thereof) to make return to the King.

II. If default be in the Lord of a Franchise, the King shall have his Franchise; but if in his Bailiff, the Bailiff shall be imprisoned for a year, and make fine to the King: and if he have none of it, he shall suffer two years imprisonment.

the Sheriff, Coroner, or other Bailiff, for any reward, reward, conceal, consent to, or procure to conceal, any Robbery committed within their Liberties, or will not attach or arrest (where they may) and be thereof attainted, they shall suffer Imprisonment, and be grievously fined to the King, whereof but if not, they shall suffer three years Imprisonment.

Statute of Winchester, Cap. 1. 23. E. 1. Immediately after Robberies and Felonies committed, fresh suit shall be made from Town to Town, and from Countrey to Countrey.

When need requires, Inquests shall be made in Towns and Villages there, and then in the Hundred, after in the County, and then in two, three or four Counties, when the Felony is committed in the division of the Counties. Here, if the Countrey will answer the bodies of the Offenders, the people there shall be answerable for all the Robberies done, and also for the

So as the whole Hundred, where the Robberies are committed (together with the Liberties therein) shall be answerable for the Robberies there committed: and if they be done in the Hundred of two Hundreds, both Hundreds together, with their Bailiffs, shall answer them. And here, the Countrey shall have ten days given them to agree for the Robbery or Offence, where they are to answer for the bodies of such Offenders.

Cap. 4. In great Towns walled, the Gates shall be shut at Sun-set till Sun-rising; and none shall lodge without the Walls from Sun-set till Sun-rising, unless his Host will answer for him. For which purpose, the Bailiffs of the Town shall make Inquests every fortnight, at least, and if they find any suspicion lodged without the Town against the Peace, they shall keep watch therein. Again, betwixt *Ascension-day* and *Michaelmas*, watch shall be kept all night, from Sun-set until Sun-rising, in every City with six men at every Gate, in a Burrough with four men, and in every Town with six or four men, according to the number of the Inhabitants there. If any stranger pass by the Watch, he shall be arrested until the morning; when, if they have suspicion of him, they shall let him go quit: but if otherwise, they shall deliver him to the Sheriff to be safely kept, until he be acquitted. And here, if he will not obey the Arrest, they shall cry out and Cry upon him: and for such Arrest of a stranger, no man shall be punished.

Cap. 9. High-ways leading from Market to Market shall be kept clear, charged, that there shall not be any dike, tree or bush, more than two hundred foot thereof: Nowbeit, this Act shall not extend to great Trees. Here, if by default of the Lord, in not removing the dike, under-wood, or bushes, any Robbery be here committed, he shall be answerable for the same; and if there be no default committed, the Lord shall make fine at the King's will. And if the Lord be not able to fell the Under-woods, the

Countrey

Countrey shall help him. The King's Demesne Lands and shall be also subject to this Law. And if a Park be set upon the High-way, the Pale thereof shall be removed to the aforesaid.

VIII. *Cap. 6. pars inde.* Two Constables shall be chosen every Hundred and Franchise, who shall present to the Justice assigned such defaults as they shall find in the Countrey concerning Soits, Watches and High-ways; and also such persons who lodge strangers in uplandish Towns, for whom they shall be answer. And the Justices assigned shall present them at the next assize to the King, who will provide remedy therein. Also the Justices and Bailiffs of Franchises are streighly commanded to keep the Cry with the Countrey, and to keep Horse and Arms to reform the same, in pain to be presented by the Constables to the Justices assigned, and by them to the King, as aforesaid.

IX. *Artic. super Chart. 19. 28 E. 1.* The Statute of Winchester shall be again sent into every County, to be read and proclaimed four times in the year, and to be kept as strictly as the Charter, upon the pains therein limited. And for the better observance thereof, the Knights assigned in the Counties to do things done against the Great Charter shall be likewise charged with this, and have Warrant for the same accordingly.

X. *Stat. 5 E. 3. 14.* If any have suspicion of Night-robbers or other suspicious persons (then called *Roguesmen*, *Walden*, *Draw-larches*) by day or night, they shall be presently arrested by the Constables: and if it be in a Franchise, they shall be delivered to the Bailiffs; but if in a Guildable, then to the Sheriff, and shall be kept in prison, till the coming of the Justices to view the Gaol: and in the mean time the Sheriff or Bailiff shall inquire of such arrests, and return their Inquests before the Justices at their coming together, with the cause of their taking; whereupon the Justices shall proceed to their deliverance according to Law. And here, if the Sheriff or Bailiff neglect to enquire, he shall be amerced, and nevertheless the Justices shall make enquiry, and proceed to the deliverance.

XI. *Stat. 28 E. 3. 11.* The Statute of Winchester, *Cap. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.* and 2. 13 E. 1. is confirmed, being in a manner the same as that word for word.

XII. *Stat. 7 R. 26.* The Statute of Winchester is again confirmed, and it shall be proclaimed four times a year by the Sheriff himself in person in every Hundred, and in every Mark, and the Bailiffs thereof.

XIII. *Stat. 27 E. 13.* The Hundred where fresh Felony shall cease shall answer half the damages to the Hundred where the Felony shall be committed, to be recovered in any Court of Westminster, in the name of the Clerk of the Peace of the County wherein the Felony was committed: and here, the change of the Clerk of the Peace shall not abate the suit.

...in this case damages are recovered against one
few Inhabitants of the Hundred, and the rest refuse to
thereunto, two Justices of Peace, (1. Qu.) dwelling
or near the same Hundred, shall for the levying thereof set
every Parish within that Hundred; according to which
Constables and Head-burroughs of every Town shall tax the
particular Inhabitants, and levy the money upon them by distress
of Goods, and deliver the money levied to the said Jus-
tices or some of them.

IV. No Hundred shall be chargeable, when any one of the
Malefactors shall be apprehended, or when the Action is not pro-
duced within one year after the Robbery committed.

VI. No Hue and Cry shall be deemed legal, unless the pur-
suit be both by horse and foot.

VII. No person robbed shall maintain an Action in this case,
until with all convenient speed he makes his Robbery known
to some near Town, Village or Hamlet, and within twenty days
after the Action brought make Oath before a Justice of Peace,
dwelling within or near the Hundred where the Robbery was
committed, whether he know the parties that Robbed him, or
not of them; and if he know, he shall enter into sufficient Bond
before the same Justice, to prosecute the person or persons so by
him known, by Indictment or otherwise, according to the Law.

VIII. Stat. 39 El. 25. A remedy for the inhabitants of
the Hundred of *Henbury* in the County of *Berks*, for recovery of
the sum of money as shall be gained from them by force of the
Statute of 22 El. 11.

IX. Stat. 13 & 14 Car. 2. Cap. 22. From the Feast of
St Michael the Archangel, 1662. for five years, the Justices of
the Peace of *Northumberland* and *Cumberland* at any General Ses-
sion of the Peace, may make an order for charging the Inhabi-
tants, for the securing the said Counties from the spoil and ra-
vage of disorderly and lewd persons, called Moss-Troopers.

X. *Northumberland* shall not be charged with above 500 l.
Cumberland, with above 200 l. in the year: and for this end
the said Justices may appoint from time to time, any person to
be in the command of a certain number of men, not exceeding
twenty in *Northumberland* and twelve in *Cumberland*, to search
for and bring to Tryal the said Malefactors. The said Justices
may give their Warrants to the Several Constables and other Of-
ficers to levy the said sums by distress and sale of Goods, and they
or any of them may examine Complaints against Collectors, or
persons failing to give obedience to this Act, or acting in
obstinance thereof: and bind such persons over to the next
General Sessions.

XI. The said Justices may appoint a Treasurer to receive
the money from the Collectors, and pay it over according to
their Orders: and may agree with those yearly, that they employ
in

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in the said Service, and take Security of them for the due
Performance thereof.

XXII. Persons employed in the Border Service, that shall
fully neglect to Apprehend or bring to Trial the
Proopers, shall be disabled to manage the said employment,
be fined and imprisoned by the Justices of Peace at their
Sessions.

XXIII. The Justices may lessen the Charge if they see fit.
This Act shall continue five years and no longer. The Statutes
in 4 Jac. and 7 Jac. shall be revived and put in Execution.

XXIV. Stat. 18 Car. 2. Cap. 3. The Act of 14 Car. 2. Cap.
shall continue seven years from the expiration thereof.

XXV. Great, known and notorious Thieves and Spoil-men
in the said Countreies during the continuance of this Act, shall
the benefit of their Clergy: or otherwise, the Justices of Assize,
Oyer and Terminer, or Gaol-delivery, before whom such
Thieves shall be convicted, may transport them into any the
Dominions in America, not to return.

XXVI. Stat. 29 & 30 Car. 2. Cap. 2. The two Acts of 14
2. Cap. 22. and 18 Car. 2. Cap. 12 shall continue for seven years
and from thence to the end of the first Session of the next Par-
liament.

XXVII. The said Justices shall at their Quarter Sessions take
security of such as they employ in the said service, to answer
damages sustained by their default, within four months after
proof thereof made by Oath of one Witness, at the next Quarter
Sessions; so as the Goods stolen be entred in one of the Books
be kept for that purpose within forty eight hours after they
be stolen: and Books shall be kept for that end in every Market
town of the said Countreies, and at such other places and by such
persons as the said Justices shall order.

XXVIII. The said Justices shall yearly or every two years
farthest, in open Court appoint persons to be employed in the
service.

XXIX. Every person so employed, or as Treasurer for the
Service, shall receive the Sacrament of the Lord's Supper in
publick Church, upon some Sunday, within three months after
they shall enter on such Employment, and deliver a Certificate
thereof to the next Quarter Sessions, and take the Oaths of Al-
legiance and Supremacy, and make and subscribe the Declaration
appointed by 25 Car. 2. Cap. 3.

Of Rome.

Stat. 25 H. 8. 19. The Convocation shall be assembled by the King's Writs, and shall not enact any Constitutions or Ordinances without the King's assent.

No Canons shall be executed which be repugnant to the King's Prerogative, or the Customs, Laws or Statutes of this Kingdom.

There shall be no Appeals to Rome, but from henceforth shall be according to the Statute of 24 H. 8. 12. *Which see in the Statute to Rome.*

Appeals from the Courts of Arch-bishops of this Realm shall be to the King in Chancery, out of which shall thereupon be sent a Commission under the great Seal to certain persons to be named by the King, who shall thereby have power to hear, determine, and conclusively to determine, all such Appeals, and the causes touching the same, and from whose decree or sentence there shall be no farther Appeal.

Any sue for an Appeal to Rome, he shall incur a *Premur*. But this is made Treason by 13 El. 2. *which see in Crown.*

Appeals from places exempt, which were before the See of Rome, shall be henceforth into the Chancery, and shall be heard before the Commissioners as aforesaid.

Provided, that all Canons, Constitutions, Ordinances and Decrees Provincial, not repugnant to the King's Prerogative, nor to the Customs, Laws or Statutes of this Kingdom, shall be still executed, notwithstanding this Act.

Stat. 25 H. 8. 27. No man shall be presented to the See of Rome for the Dignity of an Archbishop or Bishop, neither Annates or First-fruits be paid to the same See.

Concerning the Election of the Archbishops and Bishops, the King may send to the Prior and Convent, or Dean and Chapter of the place which shall be void, his Letters-missive, containing his *Conge d'eslire*, or licence to elect the person named in the Letters missive; which person they are to chuse for their Archbishop or Bishop, and none other.

In case they fail to make Election accordingly, the King shall nominate such an Archbishop or Bishop by his Letters Patent; and if it be a Bishop, he shall present him to the Archbishop, or (in case that the See be then void) to any other Archbishop within his Dominion; but if it be an Archbishop, then to the Archbishop and two other Bishops, or else to four other Bishops, to be nominated by the King.

When any Archbishop or Bishop is elected or presented, as aforesaid, they are in due form to be invested and consecrated: the Bishop by the Archbishop of that Province, or (in case of non-compliance) by any other within the King's Dominions; and

an Archbishop by some other Archbishop, or else by four Bishops; without suing for any Bulls, Letters, or other things from the See of *Rome* for the same. And any Archbishop or Bishop, betwixt his Election and Consecration, shall be called the *Lord Elect* of such a Dignity.

XII. Such Election or Presentment of an Archbishop or Bishop shall be lawfull, and make them capable to doe and execute all things that concern the said Dignities.

XIII. If the Prior and Convent, or the Dean and Chapter, within twenty days after the receipt of the King's *Comge desirant* do not proceed to Election, and certifie the same to the King; or if the Archbishop or Bishops unto whom the King presents any person to be invested and consecrated, as aforesaid, do not perform the same accordingly within twenty days after such Presentment; or if any person or persons do admit, obey or execute any Censures, Excommunications, Interdictions, Inhibitions, or any other Process or Act, in derogation of this Act; that then every person and persons offending shall incur a *Premunure*.

XIV. Stat. 25 H. 8. 21. No Imposition shall be paid to the Bishop or See of *Rome*, neither shall any person sue for any Dispensation or Licence to the Bishop of *Rome*.

XV. The Archbishop of *Canterbury* may grant Dispensations to the King, and likewise Licences to all others, of things formerly used to be licensed: Howbeit, of causes not used to be licensed no Dispensations shall be granted, without the Approbation of the King and his Council.

XVI. Here, Licences of things whereof the tax did heretofore extend (at *Rome*) to 4 l. shall be also confirmed by the King's Great Seal, and likewise enrolled in *Chancery* by a Clerk there appointed; but all others may be granted by the Archbishop without such confirmation, unless the party desire to have it enrolled, and then the Fee for the Seal shall be 5 s. and not above. And all Acts done by such Licences shall be good in Law.

XVII. All children procreated after Marriage to be lawfully done by such Licences or Dispensation, shall in all Courts be admitted legitimate and inheritable.

XVIII. There shall be a Clerk assigned by the Archbishop to register Dispensations, and another by the King to enroll Confirmations.

XIX. There shall be two Books made wherein the taxes of Dispensation shall be written, whereof one shall remain with the said Register of the Dispensations, and the other with the Clerk of the Confirmations.

XX. None shall pay for Dispensation greater taxes than shall be set down in the said Books; and if any Officer takes more, he shall forfeit ten times so much, to be divided betwixt the King, the Prosecutor: Howbeit, where they are Arbitrary, the Archbishop and the Lord Chancellor and Keeper shall rate them.

the money received shall be divided. *For which see the Statute at large.*

This Act shall not inhibit the Archbishop of *York*, nor any other Bishop, to dispense as they were wont to doe by the Custom and Custom of this Realm.

During the vacation of the See of *Canterbury*, the Guardian of the Spiritualities shall grant Dispensations. Here is also provided, where the Archbishop or Guardian refuse to grant Dispensations, *viz.* by a Commission from the King, to implead two other Prelates to perform the same. *For which see the Statute at large.*

XLIII. All Religious Houses heretofore exempt from the Visitation of the Archbishop shall still remain so, notwithstanding this Act, and shall be under Visitation of the King by Commission under the great Seal; so as the Pope's power shall be quite excluded from all such Visitations: neither shall any Religious persons from any such depart this Realm for any Visitation, Congregation or Assembly whatsoever, but all such Meetings shall be hereafter in the King's Dominions.

XLIV. Howbeit, this Act, nor any Licence or dispensation to be granted thereby, shall derogate from the Statute of 21 H. 8. touching Pluralities of Benefices or Non-residence.

XLV. Whosoever sues for any Licence, Dispensation, &c. to be granted by the Pope of *Rome*, or obeys any Process from thence, shall incur a forfeiture. *But this is made Treason by 13 El. 2.*

XLVI. Grants and Confirmations of Liberties obtained from the Pope of *Rome* to any Abbeyes, or other Religious Houses, shall have the same effect as they were before this Act.

XLVII. Abbeyes nor other places exempt shall pay any Pension to the See of *Rome*, nor accept any Dispensation or Confirmation from thence, nor make any Oath to the Bishop there, nor where no such Confirmation was requisite, they shall still do as before, notwithstanding this Act.

XLVIII. Dispensations obtained at *Rome* before the 12th. of May 1533. shall remain of the force that they had before this Act.

XLIX. The King, with the advice of his Council, may re-voke the manner of Indulgences.

Safe Conducts.

I. IN all Safe Conducts, the name of them of the Ship, and of the Master, and the number of the Men, together with the Portage of the Ship, shall be ex-

II. Stat. 18 H. 6. 3. Goodly they be made into the King's Enemies, so as the Merchant hath no safe Conduct for them; otherwise they may be made prize by that can take them.

III. Stat. 20 H. 6. 1. All Letters of Safe Conduct, which be not enrolled in the Chancery before the delivery of them, shall be void.

IV. They who will take benefit of the King's Safe Conduct shall have it ready enrolled at the time of their apprehension. Howbeit, although the Safe Conduct be not presently shown, yet it will suffice, if it be afterwards proved to be such enrolment.

Saint John's

I. Stat. 32 H. 8. 24. By this Act the Corporation of the *John's of Jerusalem in England and Ireland* was dissolved, and the Priors and Confreres thereof prohibited to wear the Marks of

II. The King was to have their Houses, Churches, Lands, Goods, Chattels, Debts, and all other things of theirs. There were also divers Pensions appointed severally to the Priors, Confreres and Confreres of that Order, to continue during their lives.

III. All of that Order are discharged from Obedience for Religion, and also enabled to sue, and to take and have heretofore as other Religious persons were enabled by Statute (which see in Ability.) Likewise their lands are to be within the survey of the Court of Augmentations.

Scarborough.

I. Stat. 37 H. 8. 14. An Act for the incorporating of the persons, (by the name of the Masters or Keepers of the Port and Key at Scarborough,) who have power to distrain every man having lands or houses there, for the fifth part of the yearly rent thereof, towards the repair of the said Port and Key. Statute at large.

Sea and Sea-men.

I. Stat. 18 E. 3. Stat. 1. 3. The Sea shall be open to Merchants to pass with their Merchandize where they please.

II. Stat. 16 Car. 2. Cap. 5. An Act to prevent the disturbances of Sea-men and others, and to preserve the Stores belonging to his Majesty's Navy Royal. Exp.

III. Stat. 19 Car. 2. Cap. 7. An Act to prevent disturbances of Sea-men and others, and to preserve the Stores belonging to his Majesty's Navy Royal. Exp.

IV. Stat.

(come for him sufficiently learned) at the Arraignment of the Offender, and to give advice concerning the offence committed.

V. The offence shall be prosecuted within three months, and the Offender shall be admitted to produce Witnesses for his defence.

VI. The Minister shall deliver the Sacrament to every person in both kinds, and shall not (without Lawfull cause) deny it to any that will devoutly and humbly desire it.

VII. Stat. 2 & 3 E. 6. 1. Every Minister shall use the Church-Service in such form as is mentioned in the Book of Common-Prayer established by this Act, and shall not use any other, or deprave the same: in pain (if he be Beneficed, and convicted thereof by the Verdict of twelve men, his own confession, or notorious evidence of the fact) to forfeit to the King for the first offence one of his Benefices which the King will chuse, and to suffer six months imprisonment; for the second, to suffer one whole year imprisonment, and to be deprived *ipso facto* of all his spiritual promotion, whereupon every Patron may present; and for the third, to suffer imprisonment during life. And if he be not Beneficed, for the first offence he shall suffer six months imprisonment; and for the second, imprisonment during life.

VIII. If any shall be convicted to have by Enterludes, Plays, Songs, Rhythms, or otherwise, depraved the said Books, or have compelled or procured the Minister to sing or say any other Church-Service, or any other form, than as aforesaid; or by such means to have interrupted or let the Minister to sing or say the said Service: they shall for the first offence forfeit 10 l. to the King, or (that not paid within six weeks after conviction) shall suffer instead thereof three months imprisonment without bail; for the second time offending, shall forfeit 20 l. or (that not paid within six weeks as aforesaid) shall suffer six months imprisonment without bail; and the third time shall forfeit all his Goods, and suffer imprisonment during life.

IX. Justices of Oyer and Terminer and Justices of Assize shall have power to hear and determine these offences; unto whom the Archbishop or Bishop of the Diocess may associate himself, if he please.

X. This shall not restrain any private man or publick College to use the said Service in such Tongues as they understand, the Holy Communion onely excepted; nor any other to use Psalms, Prayers taken out of the Bible, at convenient times, nor any other thereby the said Service.

XI. The offences aforesaid shall be prosecuted at the next Assize or Sessions of Oyer and Terminer after they are committed. And here, trial of Peers shall be by Peers.

XII. Chief Officers of Cities and Corporations shall also hear and determine these offences within their severall Precincts, and so likewise shall Ecclesiastical Magistrates: Howbeit, none shall be punished above once for one offence.

Stat. 2 & 3 E. 6. 1. Every person shall resort to his Church or Chapel, (or upon just let) go to some other, on Sunday and Holiday, in pain to be punished by the Censure of the Church.

IV. The Common-Prayer-Book now made perfect, and annexed to this Act, together with the addition of consecrating Archbishops, Bishops, Priests and Deacons, shall be used and observed as by the Statute of 2 & 3 E. 6. 1. is ordained, under pain in that Statute expressed.

IV. If any shall be convicted by Verdict of twelve men, before Justices of Assize, Oyer and Terminer, or Peace in Sessions, or lawfully heard, or have been present at, any other form of Common-Prayer, Administration of Sacraments, making of Banns, or other Rites, than what are expressed in the said Book, or which are contrary to the said Statute of 2 & 3 E. 6. 1. he shall for the first offence suffer six months imprisonment without bail; for the second, twelve months imprisonment; and for the third, imprisonment during life.

XVI. Stat. 1. M. Sess. 2. Cap. 3. If any shall disturb a Preacher lawfully licensed, he shall be by the Constables or Churchwardens of the Parish brought before a Justice of Peace, who, upon due accusation, shall presently commit him to safe custody, and within six days after, together with another Justice, shall diligently examine the fact; who, if they find cause, shall commit him to the common Gaol, there to remain for three months, and thence to the next Quarter-Sessions; at which, upon the parties reconciliation, and entering into Bond for good behaviour for one whole year, (at the discretion of the Justices in Sessions) he shall be released: but if he persist still in his obstinacy, he shall remain in prison without bail, untill he shall reconcile, and repent for his offence.

XVII. He that rescues an Offender in this kind shall suffer like imprisonment as aforesaid; and besides, shall forfeit 5 *l.* to the Queen.

XVIII. The Inhabitants of a Town that suffer such an Offender to escape shall forfeit 5 *l.* being presented, before the Justices of Peace in Sessions within the County or Corporation where the offence was made.

XIX. Justices of Peace, Assize, and Oyer and Terminer, and Coroners and Head-officers of Corporations, have power to hear and determine these offences, and to impose the fines aforesaid.

XX. This Act shall not restrain the jurisdiction of the Ecclesiastical Courts: Howbeit, none shall be punished here twice for one offence.

XXI. Stat. 1. El. 1. Every Minister shall use the Church-Services in such form as is mentioned in the Book of Common-Prayer established by 5 & 6 E. 6. 1. together with the addition of the Lessons to be used on every Sunday in the year, and the Litany altered and corrected, and two Sentences added in the delivery of the Sacrament to Communicants.

XXII. If any Minister shall be convicted by the Twelve men, his own confession, or notorious evidence in fact, to have refused to use the Church-Service, or to have used any other Right, Ceremony, Order, Form or manner, than is forth in the said Book, or to have depraved the same Book, or any thing therein contained; he shall forfeit, (being a Beneficed man) for the first offence, one whole years profit of all his ritual promotions, and suffer six months imprisonment; for the second shall be deprived *ipso facto*, whereupon every Patron present, and shall suffer one whole years imprisonment; and for the third, shall be also deprived, as aforesaid, and suffer imprisonment during life: And if he be not Beneficed, for the first offence he shall suffer one whole years imprisonment; and for the second, imprisonment during life.

XXIII. If any shall be convicted to have by Enterludes, Plays, Songs, Rhymes, or otherwise, depraved the said Book, or to have compelled or procured the Minister to sing or say any Church-Service, or in any other form, than as aforesaid, or by any such means have interrupted or let the Minister to sing or say the said Service; they shall for the first offence forfeit a hundred Marks to the Queen, or that not paid (within six weeks after conviction) shall suffer (in stead thereof) six months imprisonment; for the second offence, shall forfeit four hundred Marks, or that not paid (within six weeks as aforesaid) shall suffer one whole years imprisonment; and for the third offence, shall forfeit their Goods and Chattels, and suffer imprisonment during life.

XXIV. Every person shall resort to their Parish Church (upon let thereof) to some other, every Sunday and Holyday upon pain to be punished by censures of the Church, and shall forfeit 12 *d.* to be levied by the Church-wardens there, for the use of the Poor, upon the Offenders Goods by way of distress.

XXV. Justices of Oyer, and Terminer, and of Assize, and Justices and Head-Officers of Corporations, have power to determine these offences; unto whom the Archbishop or Bishop of the Diocess may associate himself if he please. *Howbeit that by the Statute of 23 El. 1. Justices of Peace have also power to meddle therein; which see in Title Crown.*

XXVI. None shall be impeached by this Act, unless the offence be presented at the next Sessions of Oyer and Terminer, or Assize, after it is committed: and here, trial of a Peer shall be by Peers.

XXVII. This Act shall not restrain Ecclesiastical Jurisdiction, howbeit none shall be punished twice for one offence.

XXVIII. Such Ornaments and Ministers of the Church shall be retained as were to be in the Church of England by the Statute of 2 & 3 E. 6. 1. until the Queen shall take other order by the advice of Commissioners, by her to be appointed under the Great Seal, or by the advice of the Metropolitan of this Realm.

II. If any contempt or irreverence be used in the Ceremonies or Rites of the Church, by mis-using the Orders appointed in the Book of Common-Prayer, the Queen, by like advice of her Commissioners or Metropolitan, may ordain such farther Ceremonies or Rites as may be most for God's glory, the edification of the Church, and reverence of *Christ's* holy Ministers and Sacraments.

III. All other Laws made for other Service shall be void.

IV. Stat. 5 El. 28. An Act for translating of the Bible out of Common-Prayer into the *Wells* Tongue: Also there shall be an English Bible and Book of Common-Prayer in every Church of *Wales*.

V. Stat. 3 Jac. 1. All Ministers in every Cathedral and Church, or other usual place for Common-Prayer within the King's Dominions, shall always upon the fifth day of November say Morning-Prayer, and give thanks to God for the happy Birth-day of the King, Queen, Prince, and both Houses of Parliament, upon that day.

VI. Every person within the King's Dominions shall always on that day diligently resort to his Parish-Church or to some usual Church or Chapel, where the said Common-Prayer, Preaching and other Service of God shall be used, and there orderly abide during the said solemnity.

VII. Every Minister shall give warning publicly in the Church at Morning-Prayer the Sunday before every such fifth of November, for the due observation of the said day; and after Morning-Prayer or Preaching upon the said fifth day of November, shall publicly and distinctly this Present Act.

VIII. Stat. 13 & 14 Car. 2. Cap. 4. All Ministers in any Church or Publick Worship shall use the Administration of both Sacraments and the publick Prayers in such order and form as is appointed in the Book of Common-Prayer, with such additions or alterations as have been made therein by the Convocation of the Clergy.

IX. Every person that shall be put in any Ecclesiastical Office or Promotion shall in the place of Publick Worship thereunto appointed within two months after actual possession thereof, on some Lords-day read the Morning and Evening-Prayers according to the said Book, and declare his assent and consent to the same therein contained, in these words:

I do hereby declare my unfeigned assent and consent to all things contained and prescribed in and by the Book Entituled The Book of Common-Prayer and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the use of the Church of England, together with the Psalms of David, pointed as they are to be sung or said in Church, and the form or manner of Making, Ordaining, and Consecrating Bishops, Priests and Deacons.

And they that neglect to doe the same within that time, in case of some impediment to be allowed by the Ordinary, within a month after such impediment removed, shall be *ipso facto* deprived of all their Ecclesiastical Benefices, and the Patrons may present, as if they were dead.

XXXVII. Where the incumbent of any Benefice with Cure doth reside on his Living and keep a Curate, himself shall (not having some impediment to be allowed by the Ordinary) once in every month read the service, and if there be occasion, administer the Sacraments and other Rites, as by the said Book is appointed, or forfeit to the use of the Poor of the Parish for every offence upon conviction by confession, or Oaths of two Witnesses before two Justices of Peace of the County, City, or Town-Corporate where, *&c.* 5 *l.* to be levied, in default of payment within ten days, by distress and sale of Goods, by Warrant of the said Justices, by the Church-wardens and Overseers of the Poor.

XXXVIII. Every Dean, Canon, Prebendary, Masters, and other, Heads, Fellows, Chaplains and Tutors of any House of Learning, or Hospital, Professors and Readers in the Universities or Colleges elsewhere, Parsons, Vicars, Curates, Lecturers and others in holy Orders, School-masters of publick or private Schools, and Tutors of youth in Private Families, shall before their respective Admissions, subscribe the Declaration following, (*viz.* the Masters and other, Heads, Fellows, Chaplains and Tutors of any House of Learning, Professors and Readers either of the Universities, before the respective Vice-Chancellors or their Deputies, and the rest before the Archbishop or Ordinary of the Diocess.)

I A.B. do declare, that it is not lawfull upon any pretence whatsoever to take Arms against the King; and, That I do abhor the traitorous position of taking Arms by his Authority against any Person, or against those that are Commissioned by him; and that I will conform to the Liturgy of the Church of England, as it is now Established; and I do declare, that I hold there lies no obligation upon me or any other Person, from the Oath, commonly called, the Solemn League and Covenant, to endeavour any change or mutation of Government in Church or State; and, that the same is in itself an unlawfull Oath, and imposed upon the Subjects of this Realm against the known Laws and Liberties of this Kingdom.

In default whereof, they shall be utterly deprived of their places, *ipso facto*, which places shall be void as if they were dead.

XXXIX. School-Masters and Private Tutors teaching Youth before Licence from the Archbishop or Ordinary of the Diocess, (for which they shall pay but 12 *d.*) and before Subscription, shall for the first offence suffer three months imprisonment, and for the second the like imprisonment and

Parson, Vicar, Curate and Lecturer shall procure a Certificate of his Subscription, from the Archbishop or Ordinary, and read it, with the Declaration aforesaid upon some Sunday, within three months after, in his Parish-Church in person, or be disabled and deprived of his place which shall be void, as if he were dead.

II. After the 25. of *March* 1682. the latter part of the said Declaration, beginning at these words, *viz. and I do declare, that I hold there lies no obligation upon me, &c.* shall be omitted.

III. No person not formerly made Priest by Episcopal Ordination, shall be capable of any Ecclesiastical Promotion, nor shall administer the Lord's Supper, before he be ordained Priest according to the said Book, on pain to forfeit one hundred pounds for every such offence, one moiety to the King, the other to be divided between the Poor of the Parish where the Offence is committed, and the Prosecutor, and to be disabled from taking the Order of Priest by the space of a year.

IIII. This Act shall not extend to the Foreigners of the Foreign Reformed Churches allowed by the King.

IIII. No lapse shall accrue by vertue of this Act, but after six months after notice or publick reading of such Sentence of deprivation in the Parish-Church, the incumbent thereof shall be deprived.

IIIV. No form of Common-Prayers, Administration of Sacraments, Rites, &c. shall be used in any publick place, other than according to the said Book. Heads of Colleges or Halls in the University, and of the Colleges of *Westminster, Winchester and Eton*, within a month after admission, shall in the Chapel or other publick place of the said College, &c. before the greater part of the Fellows and Scholars then resident, subscribe the Thirty nine Articles, and declare his approbation thereof, and of the said Book: and such of them as shall be in Orders shall once a quarter (not having a lawfull impediment) read the Morning Service on pain of being suspended from the profits of such Government, by the visitor for six months, within which time if they subscribe not and declare their consent or read as aforesaid, their governments shall be void.

IIV. The service prescribed by the said Book may be used in the Universities and Colleges of *Westminster, Winchester and Eton* in *Latin*.

IIVI. No person shall be a Lecturer, or Preach or Read any Sermon or Lecture, unless he be licensed by the Archbishop or Bishop, or Warden of the Spirituality if the See be void, and shall in their presence read the Thirty nine Articles, and declare his assent thereto: and every person so licensed, the first time he shall preach shall before his Sermon read the Service appointed for that time, and declare his assent to the said Book in the form there mentioned: and upon the first Lecture day of every month shall

shall read the Service appointed, and declare his assent; and in case of refusal, he disabled to Preach till he con-
 cording to this Statute. But at Sermons and Lectures in
 dral and Collegiate Churches and Chapels, it shall be
 for the Lecturer to declare his assent to all things in
 Book, *ut supra*.

XLVII. If any disabled by this Act shall Preach, sworn
 of the Peace, and the Mayor or other chief Magistrate of
 or Town-Corporate, upon Certificate from the Ordinary
 commit the offender for three months.

XLVIII. When any Sermon or Lecture is to be Preach-
 ther than publick University Sermons or Lectures, the
 for that time appointed shall be read by some Priest or
 before such Sermon, &c. and the Lecturer shall be present.

XLIX. The several Statutes now in force for the Univer-
 of Prayer, &c. shall stand in force for the establishing and
 firming the said Book, to this Act annexed, and for punish-
 fences contrary to the said Laws with relation to the Book
 said, and no other.

L. A Printed Copy of the said Book shall be gotten at the
 of the Parishioners, on pain of forfeiting 3 l. by the month
 as they are unprovided, by every Parish, Chapelry, Cath-
 Church, College and Hall.

LI. The Bishops of Hereford, St. Davids, Asaph, Bangor,
 Landaff, and their Successors shall take order that the said
 be Translated into *Welsh*, and after perusal by any three of
 be imprinted, so that every Church and Chapel of East
Welsh is commonly spoken, may have one, and that the
 be there used in the *Welsh* Tongue: (for which Books the
 wardens shall pay and be allowed it on their Accounts, and
 three of the said Bishops shall set the Price) and one other
 of Common-Prayer in *English* shall be had in every Church
Wales, to remain in some convenient place for resort to and
 use of the same.

LII. The Deans and Chapters of Cathedral and Collegiate
 Churches shall at their proper costs obtain under the Great
 a Copy of this Act and the said Book to be kept by them
 their Successors, and Copies of this Act and the said Book
 be delivered into the respective Courts at *Westminster* and
 the Tower of *London* to be kept among the Records of the
 Courts and of the Tower: which being examined by such
 King shall appoint under the Great Seal, and certified to
 Copies and exemplified under the great Seal, shall be as
 Records as this Book it self to this Act annexed.

LIII. This Act shall not be prejudicial to the King's Pro-
 of Law in *Oxford*, concerning the Prebend of *Shipton* un-
 his place by King *James*.

to the Thirty nine Articles shall be touching the Thirty sixth Article to the Book in this intended.

Stat. 13 Car. 2. Cap. 6. All Deans, Canons, Prebendaries and Fellows of Colleges, Halls, &c. and all Ecclesiastical persons, who at the time of the passing the Act of Uniformity being in *Ireland* or any parts beyond the Sea, did not come into this Kingdom before the Feast of Saint Bartholomew being here by imprisonment, sickness, or otherwise did not subscribe the Declaration and Acknowledgment as is thereby required before the said Feast, are hereby restored to their Benefices and Promotions, whereunto no others were inducted before the first of August 1663. Provided that before Christmas next if they be in *England*, else within forty days after their return they subscribe the said Declaration and Acknowledgment, and procure a Certificate under the hand and seal of the Ordinary and publicly read the same together with the Declaration made upon some Lords-day within three months after, in his parish Church.

Subscriptions made and to be made before any Vicar, Rector or Chancellor, to any Ordinary, or Commissary to any Court shall be good in Law, as if made before the Archbishop of the Province or Bishop of the Diocese.

The Penalties by 13 & 14 Car. 2. Cap. 4. to be inflicted upon persons disabled by that Act to Preach, shall be inflicted upon any person so offending, that is prohibited by the said Act to Preach.

Severn.

Stat. 34 & 35 H. 8. 9. A Penalty for casting any Ballast or refuse in *King-roads*, in any part of the Haven, in *Bristol*.

None shall load any Corn in any Vessel by the water of the Haven to be transported beyond-Sea, before he be bound to the Mayor of *Bristol* to bring it first to *Bristol*, to be there viewed by the Mayor there for the time being, in pain to forfeit both the Corn and Vessel.

The Penalty where one bringeth more Corn to *Bristol* than is measured, and thence to be transported, than is contained in his Cocket or Licence, which is to be delivered unto the Mayor by the said-Mayor, when he takes Bond of him as afore-

The Penalty for denying to measure the Corn at *Bristol* is 10 pounds for every time, to be divided betwixt the King and the Mayor. See the Statute at large.

V. Stat. 30 Car. 2. Cap. 9. If any person after the first of August next shall in the River of Severn Fish with, or by the use of any Engine or Device, whereby any Salmon, Trout, Salmon-mart, Salmon-peal, Pike, Carp, Trout, Barbel, Chub, or Gilling, the Mesh whereof shall be under two inches and a half from knot, to knot, or above twenty yards in length and six yards in breadth, or above fifty yards in length and six yards in breadth in the wing of the Net, in the said River from the Lockstake to Gloucester Bridge, or above sixty yards in length, below Gloucester Bridge, and six yards in breadth in the wing of the Net, or shall Fish with more than one of the said Nets at once, or shall use any device for taking the Fish of the said River, shall forfeit 5 *l.* for every offence, and the Fish so taken shall be destroyed, and the Instruments wherewith, &c. and 5 *l.* for every time he shall use any Hemp or Flax in the said River.

VI. If any between the first of March and the last of May shall do any Act whereby the spawn of Fish shall be destroyed, they shall forfeit 40 *s.* for every offence, and the Instruments so employed for the said purpose.

VII. The Justices of Peace of the Counties of Worcester, Hereford, and Gloucester, shall be Conservators of the said River in their respective Counties, and make one or more under-Conservators in their respective limits; to whom or to any Constable, Ringman or Head-burrough, upon their own knowledge or information of any such offence, they shall issue Warrants under the hands and seals of any two of them, to search in all houses, &c. for such unlawfull Instruments and seize the same and bring them to the Quarter-Sessions to be destroyed.

VIII. None shall be punished for the said offences, but by indictment or Informations before the Justices of Assize and Oyer and Terminer, and Gaol-delivery or the General Sessions of the Peace: the one moiety of the forfeitures shall be for the use of the Poor of the Parish, where the offence shall be committed, the other to the Prosecutor, to be levied by *Fieri facias* or *Cap. ad satisfaciendum*.

IX. The jurisdiction of the Lords of Leets or Franchises, and all Rights, Titles, &c. of the King and others in the said River.

Sewers.

Stat. 6 H. 6. 5. During ten years, several Commissions of Sewers shall be made to divers persons by the Chancellor of England to be sent into all parts of the Realm where need shall be, according to the form in the said Statute expressed: *for which see the Statute at large, being here omitted, because a later Commission afterwards ordained by the Statute of 23 H. 8. 5. which see in the proper place.*

Stat. 8 H. 6. 3. Commissioners of Sewers shall have power to make, ordain and execute all such Statutes, Ordinances, and things, as shall be made according to the effect and purpose of the Commission of Sewers ordained by the Statute of 6 H. 6. 5.

Stat. 18 H. 6. 10. Commissions of Sewers shall be awarded where need shall require, during ten years.

Stat. 23 H. 6. 9. The Chancellor of England may grant Commissions of Sewers during fifteen years.

Stat. 12 E. 4. 6. The Chancellor of England may grant Commissions of Sewers for fifteen years, where need shall require.

Stat. 4 H. 7. 1. Commissions of Sewers shall be granted during twenty five years.

Stat. 6 H. 8. 10. Commissions of Sewers shall be granted during ten years, according to the Statute of 6 H. 6. 5. and Stat. 4 H. 7. 1.

Stat. 23 H. 8. 5. Commissions of Sewers shall be directed into all parts of the Realm from time to time, where and where need shall require, according to the manner, form and effect hereafter following, to such substantial and indifferent persons as shall be named by the Lord Chancellor and Lord Treasurer of England, and the two Chief Justices, or any three of them, of whom the Lord Chancellor is to be one.

Henry the Eighth, &c. Know ye, that forasmuch as the ditches, Banks, Gutters, Sewers, Gates, Calcies, Bridges, and other Defences by the Coasts of the Sea, and Marshes, being and lying within the limits of A. B. and C. in the County or Counties of

in the borders or confines of the same, by rage of the Sea, and by means of the trenches of fresh water, and by the descending, and having course by divers ways to the Sea, be so decayed, lacerate and broken; and also the common passages of Gallengers and Boats, in the Rivers, Streams and other waters within the limits of A. B. and C. in the County or Counties of or in the borders

or confines of the same, by means of setting up, erecting, making Streams, Mills, Bridges, Ponds, Fish-garths, Locks, Hebbing-wears, Hecks, Floud-gates, or other lettings, impediments or annoyances, be letted or interrupted; so that the said Fishermen, and others, shall not receive any hurt, loss, or inestimable damage for default of reparation of the said Walls, Ditches, Banks, Fences, Sewers, Gates, Gutters, Bridges and Streams, and also by means of setting up, erecting, making and enlarging of the said Fish-garths, Mills, Locks, Hebbing-wears, Hecks, Floud-gates, and other lettings, impediments, in times past hath happened, and yet is to be feared, that far greater hurt, loss and damage is like to ensue, unless speedy remedy be provided in that behalf.

X. We therefore, for that, by reason of our Dignity and prerogative Royal, we be bound to provide for the safety and preservation of our Realm of *England*; willing that speedy remedy be had in the premises, have assigned you, and six of you, the which we will that *A. B. and C.* shall be three, to be Justices to survey the said Walls, Streams, Ditches, Banks, Fences, Sewers, Gates, Calties, Bridges, Trenches, Mills, Mill-races, Floud-gates, Ponds, Locks, Hebbing-wears, and other lettings, impediments, letts and annoyances aforesaid, and the same to be made, corrected, repaired, amended, put down, or reformed, as cause shall require; after your wisdoms and discretions. And therein as well to ordain and do after the tenor, and effect of all and singular the Statutes and Ordinances made before the first day of *March*, and in the three and twenty year of our *Reign*, touching the premises, or any of them; also to enquire by the Oaths of the honest and lawful men of the said Shire or Shires, place or places, where such default or annoyances be, as well within Liberties as without, by whose truth may the rather be known, through whose default the hurts and damages have happened, and who hath or has any Lands, or Tenements, or common of Pasture; or profit by Fishing, or hath or may have any hurt, loss or disadvantage by any manner of means in the said places; as well near to the said dangers, letts and impediments, as inhabiting or dwelling thereabouts, by the said Walls, Ditches, Banks, Gutters, Sewers, Trenches, and other the said impediments and annoyances. And all those persons, and every of them, to assess, charge, distrain and punish as well within the limits and bounds of old time accustomed, or otherwise, as elsewhere within our Realm of *England*, after the quantity of their Lands, Tenements, and Rents, by number of Acres, Perches, after the rate of every persons Portion, tenure, or profit, or after the quantity of their common Pasture, or profit by Fishing, or other Commodities there, by such ways and means, and in such manner and form, as to you, or six of you, or any of the said *A. B. and C.* to be three, shall seem most convenient.

...and done, for redress and reformation to
the premises. And also to reform, repair and amend
Walls, Ditches, Banks, Gutters, Sewers, Gates, Calcie,
Streams, and other the premises, in all places need-
ed the same, as often and where need shall be, to make
to cleanse and purge the Trenches, Sewers and Ditches
necessary; and farther to reform, amend, prostrate
and throw all such Mills, Streams, Ponds, Locks, Fish-
lebbing-wears, and other impediments and annoy-
ances, as shall be found by inquisition, or by your firm
discretions, to be excessively hurtfull. And also to de-
signe diligent, faithfull and true Keepers, Bailiffs, Str-
ong Collectors, Expenditors, and other Ministers and Offi-
cers for the safety, conservation, reparation, reformation and
of the premises, and every of them; and to hear the
of the Collectors and other Ministers of and for the re-
laying out of the money that shall be levied and paid
for the making, repairing, reforming and amending
Walls, Ditches, Banks, Gutters, Gates, Sewers, Cal-
cie, Streams, Trenches, Mills, Ponds, Locks, Fish-garths,
and other impediments and annoyances aforesaid.
to restrain for the Arrearages of every such Collection, Tax
or payment, as often as shall be expedient; or otherwise to
the debtors and defaulters of the same, by fines, amercia-
ments, or other like means, after your good discretions.
to arrest and take as many Carts, Horses, Oxen, Beasts,
and instruments necessary, and as many Work-men and
as for the said works and reparations shall suffice,
for the same competent Wages, Salary and stipend in
half; and also to take such and as many Trees, Woods,
Timber, and other necessities, as for the same
reparations shall be sufficient, at a reasonable price
or six of you, of the which we will that A. B. and C.
three, to be assessed or hired, as well within the
bounds aforesaid, as in any other place within the
County or Counties near unto the said places. And to
ordain Statutes, Ordinances and Provisions from
time, as the case shall require, for the safeguard, con-
servation, redress, correction and reformation of the premis-
es every of them, and the parts lying to the same, ne-
cessary and behovefull; after the Laws and Customs of *Rumney*
the County of *Kent*, or otherwise, by any ways and
after your own wisdoms and discretions. And to hear
and determine all and singular the premises, as well at our suit,
as at the suit of any other whatsoever complaining before
you, whereof A. B. and C. shall be three, after
the Laws and Customs aforesaid, or otherwise, by any other
means after your discretions. And also to make and
direct

direct all Writs, Precepts, Warrants, and other Com-
ments, by virtue of these presents, to all Sheriffs, Bailiffs,
other Ministers, Officers, and other persons, as well within
berries as without, before you or six of you, whereof the said
A. B. and C. to be three, at certain days, terms, and places, to
returned and received. And farther, to continue the Process
the same, and finally to doe all and every thing and things
shall be requisite for the due execution of the premisses, by
ways and means, after your discretions. And therefore we com-
mand you, That at certain days and places, when and where
you, or six of you, whereof the said A. B. and C. to be three,
shall think expedient, ye do survey the said Walls, Fences,
Ditches, Banks, Gutters, Gates, Sewers, Calcies, Ponds, Bridges,
Rivers, Streams, Water-courses, Mills, Locks, Trenches, Fish-gates,
Floud-gates, and other letts, impediments and annoyances
said, and accomplish, fulfill, hear and determine all and singular
the premisses, in due force, and to the effect aforesaid, after
good discretions. And all such as ye shall find negligent,
saying or rebelling in the said works, reparations or reformations
of the premisses, or negligent in the due execution of this
Commission, that ye do compell them by distress, fines and
merciaments, or by other punishment, ways or means, which
you, or six of you, whereof the said A. B. and C. shall be three,
shall seem most expedient for the speedy remedy, redress and
reformation of the premisses, and due execution of the same.
And all such things as by you shall be made and ordained in
behalf, as well within Liberties as without, that ye do cause
the same firmly to be observed, doing therein as to Justice
pertaineth, after the Laws and Statutes of this Realm, and ac-
cording to your wisdoms and discretions.

XI. Save always to us such fines and amerciaments as to
thereof shall belong. And we also command our Sheriff or Sher-
iffs of our said County or Counties of
that they shall cause to come before you, or six of you,
which A. B. and C. shall be three, at such days and places
ye shall appoint to them, such and as many honest men of
or their Bailiwick, as well within the Liberties as without,
whom truth may best be known, to enquire of the premisses
commanding also all other Ministers and Officers, as well within
Liberties as without, that they and every of them shall be an-
dant unto you in and about the due execution of this our Com-
mission. In witness whereof we have caused these our Letters
to be made Patents. Witness our self at *Westminster*, the
of _____ in the _____ year of our Reiga-

XII. Here, every person named a Commissioner, as soon as
shall have notice thereof, shall effectually put his diligence
attendance thereunto: Howbeit, he shall not put the Commis-
sion in execution before such time as he shall (before

...shall, or have others whom he by a *Bedismus* shall
...high, or before the Justice of Peace in Sessions of
...to which the Commission is directed) take the Oath

...shall swear, that ye to your cunning, wit and power,
...and indifferently execute the authority to you given by
...of Sewers, without any favour, affection, corrup-
...or malice, to be born to any manner of person or per-
...as the case shall require, ye shall consent and endeavour
...for your part, to the best of your knowledge and power, to
...of such wholesome, just, equal and indifferent Laws and
...as shall be made and devised by the most discreet and
...number of your fellows, being in commission with you,
...redress, reformation and amendment of all and every such
...as are contained and specified in the said Commission; and
...Laws and Ordinances, to your cunning, wit and power,
...be put in execution, without favour, need, dread, malice
...as God you help and all Saints.

All Statutes of Sewers heretofore made are confirmed.
The Commissioners have power to make and ordain
Ordinances and Decrees, and all and every thing mention-
their Commission, according to the true meaning thereof,
same to reform, repeal, amend, and make new, as need
require.

If any person assessed to any lot or charge for any Lands,
...or Hereditaments, within the limits of any Com-
...do not pay the same, according to the Ordinance of
Commissioners, by reason whereof the said Commis-
...the same Lands, Tenements or Hereditaments, from
owner or owners thereof, and their Heirs, to any other for
life or in fee, for the payment of the said lot or charge;
...each Decree and Ordinance by them made, ingrossed in
...and certified into the Chancery, under their Seals,
...the King's assent thereunto also had, shall bind all
person or persons having any Estate in the premisses, in
possession, reversion, or remainder, their Heirs and
...and shall not be otherwise reformed than in Parlia-

Will. The King's Lands, Tenements and Hereditaments, shall
...to the Laws, Ordinances and Decrees of the Com-
...or any six of them, as those of any other.

Will. If a Commissioner not sworn, as aforesaid, or being
...and not having Lands, Tenements or Hereditaments to
...in fee or for life, worth forty marks *per annum*, be-
...prises, (except resiant and free of a Corporation, and ha-
...ables worth 100 *l.* or else an utter Barrister) do attempt
...the said Commission, he shall forfeit for every time so
...to be divided berwixt the King and the Prosecucor.

XIX. Aoywry and Justification of a *Dishonest* taken, or other Act done, by reason of the said Commission, shall be without any express or rehearſal of any other matter in this Act, or any Commission, Laws or Ordinances made; whereupon the Plaintiff ſhall be admitted to reſt, the Defendant did take the ſaid Diſtreſs, or did any other or treſpaſs of his own wrong, and thereupon the iſſue ſhall be tried by the Verdict of twelve men, and not otherwiſe; and on the trial, the whole matter on both parts ſhall be given in evidence. And here, if the Verdict paſs for the Defendant, the Plaintiff be non-ſuit, the Defendant ſhall recover his damages and coſts, to be aſſeſſed by the ſame Jury, or a Jury inquire of damages, as the cauſe ſhall require.

XX. The Commissioners ſhall have for their pains 4 s. and the Clerks 2 s. a day, out of the Taxes aforeſaid, &c. the Commissioners, or any fix of them, have power, (at their cretions) to allow out of the ſaid Taxes more to the Clerks Writing-Books and proceſs, and to Collectors and others who take pains in the due execution of the ſame Commission.

XXI. When any ſuch Commission is directed for the ſatisfaction of any thing within the Dutchy of *Lancaſter*, the Commissioners ſhall be named by the Lord Chancellor, Lord Juſticer, the two Chief Juſtices, and the Dutchy, or any three of them, whereof the Lord Chancellor and Chancellor of the Exchequer are to be two: And in this caſe two Commissions ſhall iſſue, *viz.* one under the Great Seal, and the other under the Seal of the Dutchy.

XXII. The fees for every ſuch Commission ſhall be 2 s. to the King for the Seal, and 5 s. to the Clerk for writing and rolling it, and no more.

XXIII. A Commission of Sewers ſhall continue in force three years from the Teſte, and the King (by a *Superſedeas* of the Chancery,) may diſcharge any Commission or Commissions at his pleaſure.

XXIV. The Laws, Decrees or Ordinances of the Commissioners ſhall continue no longer in force than their Commissions, unleſs they be engroſſed in parchment, and certified under the Seals into the Chancery, and the King's aſſent be obtained thereunto.

XXV. When any ſuch Commission is directed into *Wales*, or any other County Palatine, two Commissions ſhall iſſue, one under the Great Seal, and the other under the Seal of the County Palatine, in like manner as is above ordained in the Dutchy of *Lancaſter*.

XXVI. The King's aſſent aforeſaid ſhall be certified in the Chancery under his Privy Seal without fee, onely the Clerks ſhall have 2 s. for writing the Certificate, and not above.

The Chancellors of the Principality of *Wales*, or any Palatine, having the custody of the Seal there, may make, and upon sight of Commission under the Seal may thereupon make out another under the Seal of any Palatine according to the tenor of the King's Commission, and also to the Commissioners therein named; except the Dutchy of *Lancaster*, for which the provision above shall be observed.

III. Stat. 25 H. 8. 10. None shall be compelled to be sworn to sit or travel in the execution of any Commission of Sewers, unless he be dwelling within the County whereof he is a Commissioner.

IV. If any Commissioner, being required by any having authority by the King's Writ, or otherwise to give him the Oath required by 23 H. 8. 5. shall refuse to take it, upon such refusal contempt done in Chancery, or returned thither with the writ, he shall lose five marks for every such contempt, unless he shall allege sufficient cause in Chancery the same Term where the return is made, for his excuse and discharge in that behalf.

V. Stat. 3 & 4 E. 6. 8. The Statute of 23 H. 8. 5. is perpetual, in such manner as it may stand with the sequel of the provisions hereafter mentioned.

VI. All sums of money rated by Commission of Sewers upon any of the King's land shall be leviable by distress or otherwise, and may be done in the lands of other persons; and Acquittances under the hand of such Collector or Receiver as shall be appointed by the Commissioners, or any six of them, shall be a full discharge as well to the Tenants of the King's lands, as to the Receiver, Auditor or other Officer, for the allowance of the said rates to such Tenants.

VII. Like fees shall be paid for Commissions and *Dedimus* under the Dutchy Seal, as are paid for them obtained under the Great Seal.

VIII. A Commission of Sewers shall endure five years, unless in the mean time it be superseded.

IX. Stat. 1 M. Parl. 2. cap. 11. The Statute of 23 H. 8. shall extend and give authority to the Commissioners therein named for the County of *Worcester*, or six of them, (whereof three to be of the *Quorum*) by this Act, and the said Statute of H. 8. and Commission, to make Laws, Ordinances and Decrees within the County, for the redress and saving of grounds there from destruction, by reason of Sand rising out of the Sea, or blown to land by storms and winds, as they may do by the said Statute and Commission, for avoiding the outrageous rage of the Sea and other waters.

XXXV. Stat. 13 El. 9. All Commissions of Sewers shall continue in force for ten years after the date thereof, unless they be repealed by a new Commission, or a *Supersedeas*.

XXXVI. All Laws, Ordinances and Constitutions, duly made according to the Statute of 23 H. 8. 5. and written in parchment indented, under the Seals of the Commissioners, or six of them, (whereof one part shall remain with the Clerk of the Commission, and the other in such place as the Commissioners or six of them shall appoint,) shall without any Certificate to be sent into the Chancery, and without the King's assent, continue in force, notwithstanding any determination of such Commission by *Supersedeas*, untill the same Laws, Ordinances and Constitutions shall be altered, repealed or made void by Commission afterwards assigned.

XXXVII. After the end of ten years next after the Term of the Commission, all Laws, Ordinances and Constitutions made in virtue thereof, and written in parchment, indented and sealed as aforesaid, shall, notwithstanding such determination of the Commission, continue in force one whole year after the said ten years; during which time, the Justices of Peace of the County or Counties whither it is directed, or six of them, (two of whom have power to execute such Commission and Law, &c. as well as the Commissioners themselves, unless in the interim a new Commission be sent forth.

XXXVIII. No Farmer for years of any Lands, &c. within the limits of the Commission (which shall be charged with any Laws, &c. made by virtue of any such Commission wherein he shall be a Commissioner) not having any Estate Free-hold in England worth 40 l. per annum, shall have power to sit or intermeddle with any such Commission during the time he shall be Farmer, and not have Free-hold as aforesaid, but every such Commission as to him onely shall be deemed void.

XXXIX. There shall be no Certificate or return of the Commission or of any of their Laws, Ordinances, or doings by virtue thereof.

XL. The Clerk of the Commission shall yearly estreat all fines, fines, penalties, forfeitures and amerciaments, due and answerable to the Queen, her Heirs and Successors, and yearly deliver them into the Exchequer, (as Justices of Peace ought to doe by virtue of their Commission,) in pain of 5 l.

XLI. Provided, that the abovesaid Farmer may act in the Commission as concerning all other Lands, save onely the Lands whereof he is so Farmer, as aforesaid.

XLII. Stat. 3 Jac. 14. All Walls, Ditches, Banks, Gullies, Sewers, Gates, Causeys, Bridges, Streams, and Water-courses within two miles of London, having their fall into Thames, shall be subject to the Commission of Sewers, and to all Statutes

Sewers, and to all penalties in the said Statutes con-

Sheep.

Stat. 3 H. 6. 2. None shall transport Sheep beyond Sea without the King's Licence, in pain to forfeit them, or the value

Stat. 25 H. 8. 13. None shall keep in his own possession any one time above two thousand Sheep, in pain to forfeit every Sheep kept above that number 3 s. 4 d. to be paid for a subject within one year, and for the King within six months. But here, Lambs shall not be accounted as Sheep till the twelfth month after their fall.

If any happen to have more Sheep than two thousand by reason of any Executorship or Marriage, they shall not be impleaded by this Law, so that within one year after they put in so many, that at the end of that year they may not have more than two thousand: Neither shall a child during his nonage (nor any person for him) be endamaged by this Act, nor shall a child have by Legacy above two thousand Sheep given him.

Justices of Peace have power to hear and determine the offences committed against this Act, but shall not take a less fine than is limited by the same.

Every Temporal Subject may keep upon his own Demesne as many Sheep as he will, or for the maintenance of his household above the number of two thousand, notwithstanding this Act.

How foulds, courses and quillets of launds in Norfolk and Suffolk shall be used, and to which quillets this Statute shall extend. See the Statute at large.

A thousand of Sheep (meant by this Statute) shall be accounted after the rate of six score to the Hundred.

None shall take to Farm above two Farms together, and he shall be situate in the same Parish where he dwells; in pain to forfeit 3 s. 4 d. for every week he takes the profits of them.

Spiritual persons shall keep Sheep as they have used to do, notwithstanding this Act.

Sheriff.

* I. *Stat. De finibus levatis, Cap. 2. 27 E. 1.* Sheriff shall not be charged with any issues to be levied, nor shall levy any, before they pass out of the Exchequer, being there delivered by estreats of the Justices, in which estreats every head shall be charged for issues forfeited, like as of amerciaments.

II. If the Sheriff will charge himself with the issues of a cognitor, Pledge or Mainpernor, who is not able to pay, the Sheriff shall be charged therewith in the Exchequer.

III. Sheriff shall make tallies of all money received by him or their Officers, in pain of great forfeitures; and shall not return any Mainpernors, Jurors, or others, except (according to the tenor of the King's Writ) they be lawfully impanelled; other shall they return any Free-men as pledges, without the consent.

IV. A Baron and a Clerk of the Exchequer shall be sent every year through every County of England, to inquire the names of such as have paid the Green-wax that year, and also view all such Tallies, and inroll them, as shall bear witness to termine complaints made against Sheriffs, and their Clerks, Bailiffs, that shall do contrary to the premises, and the offenders shall be grievously punished.

V. *Britic. super Chart. 8. 28 E. 1.* The people of every County shall have election of their Sheriff, where the Sheriff takes the Fee.

VI. *Britic. sup. Chart. 13. 28 E. 1.* The Commonalty of every County shall chuse such Sheriffs as shall not charge them, nor any Officer into Authority for rewards or bribes, nor lodge any suit in one place, neither yet with poor persons, or ones of religion.

VII. *Statute of Sheriffs, 9 E. 2.* Sheriffs shall be assigned by the Chancellor, Treasurer, Barons of the Exchequer, and Justices; and in the absence of the Chancellor, by the Treasurer, Barons, and Justices.

VIII. None shall be Sheriff, except he have sufficient security for the County where he is Sheriff, to answer the King and his people.

IX. No Steward or Bailiff to a great Lord shall be Sheriff, except he be of service, so that he may attend to execute his Office for the King and his people.

X. Hundreds also (both the King's and other) shall be assigned by convenient and able persons, having sufficient Lands within the same Hundred, or in the County where the Hundred is, and they shall be leased to such persons at reasonable rates.

they may not extort upon the people. But no Sheriff or Bailiff shall leave their Office to any other in firm, or otherwise. Execution of Writs that come to the Sheriffs shall be done by Hundreders, sworn and known in full County, and not by any others, unless such Hundreders be in default, and then execution shall be done by others, meet and sworn; so as the people may not be troubled to sue such executions: saving always return of them that ought to have them.

Stat. *De arminis*, 13 E. 2. *Vide Rastal, Sheriffs* 3. Sheriffs and other Ministers, being impleaded in the Exchequer (for receiving the King's debts by Tallies or Acquittances, and not acquitting the parties thereof in that Court,) are to plead, that the great Distress is returned against them, and they come not then in to answer; then shall issue another Distress, returnable at a certain day, by which Proclamation shall be made in full County, that the Debtors appear at the day, and acquit the Debt for which he is so held tally or acquittance: at which day if he come not, the Writ be returned, and the Proclamation certified, he shall be holden as convict, and the debt shall be taken of him, and be recovered in the King's Court, and damages shall be awarded to the Plaintiff at the discretion of the Barons. And none shall be hindered by this Statute to complain of Sheriffs and other Ministers when they shall be found in the Exchequer, to make them answer there, as hath been formerly used.

Stat. 2 E. 3. 4. The Statute of 9 E. 2. is confirmed, that Sheriffs and Bailiffs of fee shall cause their Counties and Hundreds to be kept by such as have lands therein.

Stat. 2 E. 3. 12. From henceforth hundreds and Wards shall be again adjoyned to the Counties, and shall never be given or severed therefrom.

Stat. 4 E. 3. 9. Sheriffs, Escheators, and Bailiffs of Counties and Franchises, shall have sufficient in the places where they are Ministers, whereof to answer the King and his people, in case any men complain against them.

Stat. 4 E. 3. 18. Sheriffs and Gaolers shall receive and keep such Thieves and Felons as shall be delivered them by the Justices or Townships, without taking any thing for such reception; and the Justices assigned to deliver the Gaol shall have power to hear such complaints, and to punish such Sheriffs and Gaolers if they shall find guilty herein.

Stat. 4 E. 3. 15. Sheriffs shall let their Hundreds and Wards for the old farm, and not above: and the Justices shall have power to enquire of Sheriffs, and punish them, if they shall find them guilty herein.

XVIII. Stat. 5 E. 3. 4. None shall be Sheriff, Under Sheriff, Escheator, Bailiff of Franchises, Wapentakes, Hundreds or Tithings, unless he have sufficient lands in the County, wherewith to answer the King and his people, if any will complain.

XIX. Stat. 14 E. 3. 7. No Sheriff shall continue in his Office above one year, and then another convenient man shall be chosen in his place (having lands sufficient in his Bailiwick by the Chancellor, Treasurer, and Chief Baron, taking to them the Chief Justices, if they be present: And this shall be done yearly at the Exchequer the next day after *All-Souls*).

XX. Stat. 14 E. 3. 9. All Wapentakes and Hundreds shall be severed from the Counties shall be rejoyned to them again. The Sheriffs also shall hold the same in their own hands, and put in such Bailiffs and Hundreders (having lands in the Bailiwick and Hundreds) for whom they will answer.

XXI. If Sheriffs let any Hundreds, Bailiwicks, or Wapentakes to farm, they shall let them at the ancient farms, without increase upon them: And the King and his people shall be satisfied after served with sufficient Bailiffs, Hundreders, and their own bailiffs, without employing Out-riders, who have been used in divers Counties notoriously grieved the people: Neither shall any Bailiff-errant be in any County, but onely where they were used to be in the time of the King's Grandfather, and no more than one Bailiff-errant in one County.

XXII. All such as have Bailiwicks or Hundreds in fee, shall put in such Bailiffs for whom they will answer; and if they will let them to farm, they shall take but the old farm, without increase.

XXIII. The Justices of both the Benches, the Barons of the Exchequer, and Justices assigned, shall inquire after and punish the Offenders of this Ordinance at their discretion, according to the Law and Reason.

XXIV. If the Sheriffs or the Farmers be found in default, or be thereof arraigned, the Wapentakes and Hundreds shall be put into the King's hands, and by the Justices let to other Farmers. Officers likewise shall be imprisoned, and there remain until they make fine and ransom to the King according to the quantity of the Trespass; and yet they shall answer the King the value of the farm.

XXV. Lords having Hundreds or Wapentakes in fee, shall put therein sufficient Bailiffs, to answer the King and his people: And if their Bailiffs offend against this Ordinance, such Bailiffs shall be called to answer; whereof if they be arraigned, they shall have such punishment as the Law requireth, and shall be also put out of their places, and others put in their places by the Law.

XXVI. Stat. 28 E. 3. 7. No Sheriff shall continue in his Office above one year.

XXVII. Stat. 28 E. 3. 9. No Writ shall be hereafter directed to the Sheriff to charge a Jury to indict any.

XXVIII. Stat. 42 E. 3. 9. pars inde. No Sheriff, or Under-sheriff, or Sheriffs Clerk, shall continue in their Office above one year.

XXIX. Stat. 1 R. 2. 11. None, having been Sheriff for one whole year, shall be Sheriff again within three years then next ensuing, if there be other sufficient in the County, to answer the King and his people.

XXX. Stat. 1 H. 4. 11. Because Sheriffs did much oppress the people, for that they were charged with the ancient fines of the Counties, whereof a great part had been granted to Lords and others; hereafter the Sheriffs, upon their accounts made to the Exchequer, shall have allowance (by their Oaths) of the fines of their Counties: And if from henceforth any Sheriff exact upon the people, and be thereof attainted, he shall be punished at the King's will.

XXI. Stat. 4 H. 4. 4. Every Sheriff of England (*Serra de-
murene*) shall abide in proper person within his Bailiwick for the time that he shall be such Officer; he shall not let his Bailiwick to farm; and he shall be sworn to do the same in special, amongst other Articles comprised in his Oath.

XXII. Stat. 1 H. 5. 4. They who have been Sheriffs Bailiffs for one year, shall not bear that Office by three years next following, except in Sheriffwicks inheritable.

XXIII. No Under-sheriff, Sheriffs Clerk, Receiver, or Sheriff's Bailiff, shall be Attorney in any of the King's Courts, so long as he bears such Office under the Sheriff.

XXIV. Stat. 4 H. 5. 2. Sheriffs of England shall have allowance upon their accompts (by their Oaths) of things casual, and of distresses that be not in farm or demand: but for all things that run in yearly farms or demands, they shall be charged to the King as in times past.

XXV. Stat. 13 H. 6. 8. The Statutes of 14 E. 3. 7. 42 E. 3. and 1 R. 2. 11. shall be duly observed, except by Officers in London, and where any hath free-hold or inheritance in the Sheriff's Office.

XXVI. No Sheriff, or any of his Under-officers, (except those excepted) shall act contrary to the said Statutes, in pain of yearly 200 l. and every pardon granted them in that behalf or for the said forfeiture, and every Patent made for that purpose, shall be void, notwithstanding the clause or word of *in assente* be inserted in any of them: And whosoever shall hereafter act by any such Patents, shall be for ever after disabled to bear the Office of Sheriff in England.

XXVII. The forfeiture abovesaid is to be divided betwixt the King and the Prosecutor.

XXXVIII. Stat. 23 H. 6. 10. No Sheriff shall leave his County or Bailiwick; neither shall he, his Under-sheriff, or any other Bailiff, return upon Inquest any Bailiff, Coroner, Steward, or any Servant of theirs; neither shall they take any thing for arresting, or for omitting to arrest, save onely the fees that follow, viz. for the Sheriff 20 s. for the Bailiff that makes the Arrest 4 s. and for the Gaoler (when the party is committed) 4 s. Neither shall any Sheriff, Under-sheriff, Sheriff's Clerk, Steward or Bailiff of Franchise, Servant, Bailiff or Coroner, take above 4 s. for the Copy of a Panel.

XXXIX. Sheriffs and other Officers shall let to bail persons by them arrested upon reasonable sureties, having sufficient within the County: (persons in Ward by condemnation, exemption, *Capias utlagatum*, or *excommunicatum*, surety of Peace, or committed by command of the Justices, and Vagabonds refusing to serve, onely excepted.)

XL. The said Officers shall take no Bond of any arrested person, but for appearance, and to themselves onely; and shall not take for it more than 4 s. And Bonds otherwise taken (*colours & ficti*) shall be void.

XLI. Sheriffs shall make Deputies in the King's Court at *Westminster*, to receive Writs to be delivered unto him.

XLII. Sheriffs, Under-sheriffs, Clerks, Bailiffs, Gaolers, Coronors, Stewards, Bailiffs of Franchises, and all other Officers, which do contrary to this Act, shall forfeit for every such offence treble damages to the party grieved, and besides 40 l. to be divided betwixt the King and the Prosecutor.

XLIII. Justices of Assize, of both the Benches, and of Peace, have power to hear and determine such offences.

XLIV. If the Sheriff return a *Cepi corpus*, or *Reddidit*, he shall be chargeable to have the body of the party ready at the day of the return mentioned in the Writ.

XLV. The Warden of the Fleet, or of the Gaol of the King's Palace at *Westminster*, shall not be prejudiced by this Ordinance.

XLVI. Stat. 1 E. 4. 2. Sheriffs shall deliver all indictments and presentments taken in their turns unto the Justices of Peace at their next Sessions, in pain of 40 l. who shall arraign, deliver, make Process, and proceed thereupon, as if they were taken before them, and shall deliver indented estreats of the fines to the Sheriff, to be levied to his own use. And here, if the Sheriff levy any fine, or commit any to prison, by colour of any such indictment or presentment, or otherwise than by Warrant from the Justices, as aforesaid, he shall forfeit 100 l. Howbeit, Sheriffs of *London* shall not be restrained by this Act, nor such as have had fines formerly granted unto them.

XLVII. Stat. 12 E. 4. 1. If a Sheriff execute or return any Writ, Precept or Warrant, into any of the King's Courts at *Westminster*, Term after the sixth day of *November*, (being commonly

of the date of their Patent) and before any Writ of Discharge delivered unto him, he shall not thereby incur the penalty of 100 l. ordained by the Statute of 23 H. 6. 8. albeit he doth continue in his Office after the returns of *Cristiano Martini*, *Ottobius Martini*, and *Quintus Martini*, after his year is out.

Stat. 17 E. 4. 6. Every old Sheriff may execute his Office during *Michaelmas* and *Hilary Terms*, if he have not been Writ of discharge, without danger of incurring any forfeiture or pain in respect thereof.

Stat. 1 R. H. 7. 15. No Sheriff, Under-sheriff, or Clerk, shall enter into the County Court any plaint in behalf of the Plaintiff or his Attorney, nor have above one plea for one Cause, in pain of 40 s. to be divided betwixt the Plaintiff and the Prosecutor.

A Justice of Peace, upon complaint made, hath power to examine the abovesaid Officers and Plaintiff concerning the premises, and finding any of the same Officers guilty, shall within six months after certify that examination, into the Exchequer, in pain of 40 s. upon which examination, the said Officers shall be bound to pay the abovesaid forfeiture of 40 s. without farther delay.

The Defendant in the County Court shall have lawfull counsel, and if the Bailiff be therein found faulty, he shall forfeit 10 s. And here also Examination and Certificate shall be made by the Justice of Peace, as aforesaid.

Before the Sheriff issue forth any *Estreats* out of the County Court, two Justices of Peace (1 *Qu.*) shall view them; and dividing two parts of them indented and sealed by the said Justice and Sheriff, one of them shall remain with the Justices, the other with the Sheriff. And here the Officer that collects the same shall make oath before the said Justices, to levy no more than is contained in them, in pain of 40 s. who may be convicted of offence by the examination of one Justice of Peace, as aforesaid.

The Justices of Peace which are to have the control of the Sheriff and his *Estreats*, shall be named at *Michaelmas* by the *Custos Rotulorum*, or (in his absence) by the *Justices of the Quorum*. And the said Justices of the Peace, upon petition of the party grieved, may make out like process against the Offenders as in Actions of *Frespals*.

Stat. 6 H. 8. 18. The Under-sheriff and all other Officers and Sheriffs, may continue and execute their Offices within the County of the Town of *Bristol* from year to year, in such sort as they do in *London*, without any forfeiture, notwithstanding the Statutes of 42 E. 3. 9. and 23 H. 6. 8.

Stat. 24 H. 8. 16. Every Sheriff, his Under-sheriff or Clerk, shall at his day of prefixion in the Exchequer, immediately after he is sworn to accompt, make also oath to deliver into that

that Court Schedules containing the particular sums of money which he hath levied, or might have levied, and, as near as may be, what persons or lands ought to be charged therewith: and after such Schedules delivered, cast and rated, that Court shall have power to make him allowance of so much money, as the Farms wherewith he is charged amount to more than the particulars: and for such parcels as they so amount to more, the Court shall issue out process for the recovery thereof for the King's use.

EVI. Concerning sums respected to the Sheriffs upon their Petitions, they shall from henceforth (upon their oaths) be discharged thereof, and process shall issue out against the Debtors.

LVII. Sheriffs (upon their accompts) shall have allowance for executing the King's Writs and Summons, levying of distresses, coming to the Exchequer to make the profits and view of their accompts, and for expences at the Assizes, Gaol-deliveries, Oyers and Terminers, and the like: so as the sum of all such allowances to all Sheriffs exceedeth not 342. 6. 4.

LVIII. Stat. 2 & 3 E. 6. 4. The said Act of 34 H. 8. shall be clearly void to all intents and purposes, other than such as are hereafter in this Act specified.

LIX. All Sheriffs shall have such Tallies of reward and allowances, as they had before the making of the Statute of 34 H. 8. 16. also to be at their Election to accompt, and all other things to doe according to the said former Act: And every Sheriff that so shall accompt, and take no Tally of reward, shall be intreated in the Exchequer in all things as if the said former Act were in force.

LX. Tallies of reward (without any Warrant) shall be stricken as they were before the making of the said Act, and shall be delivered to the Sheriff or his Attorney without any further charge.

LXI. Sheriffs of Counties where no Tallies of reward have been used to be stricken, shall be allowed their expences upon Petition, with a Bill thereof thereunto annexed, being verified by the Oath of the Sheriff, his under-Sheriff, or Attorney.

LXII. Sheriffs who take no Tallies of reward shall be discharged, (upon their accompts) of all such Farms, Goods, Chattels, Profits, Casualties, and sums of Money, as they can levy or come by: and all other Sheriffs, who take Tallies of reward, shall also be discharged of all such profits and sums as are fore said, except onely of Vicontiels, wherewith they shall be chargeable, as they were before the making of the said former Act.

LXIII. Sheriffs also shall have allowance (in their accompts) of all such sums of money as they shall make true Petition of.

and Sessions as are come to the King's hands by unity of possession or otherwise, out of which any part of such Vicontiels is receivable.

LXV. Provided, that every Sheriff (his Under-sheriff or Deputy) shall at his day of prefixion in the Exchequer, immediately after he is sworn to accompt, make also Oath to deliver up that Court Schedules, containing the particular sums of money which he hath levied, or might have levied, and (as near as may be) what persons or lands ought to be charged therewith: And after such Schedules delivered, cast and rated, the Court hath power to make him allowance of so much money as his charges amount to more than the said particulars: and for such parcels as they so amount to, the Court shall issue out writs, or take some other fit course, for the recovery thereof to the King's use. And if they employ any Commissioners to inquire after the same, they shall allow them their reasonable costs and charges at their discretions.

LXV. Stat. 2 & 3 E. 6. 34. Sheriffs of Northumberland shall enter into Recognizance to be accomptable for their Office, as other Sheriffs do, in pain of 100 l. Howbeit, they shall not be chargeable but onely for their own year.

LXVI. Stat. 1 M. Par. 1. Sess. 2. cap. 8. No Sheriff shall be Justice of Peace during his Shrievalty, notwithstanding the Statute of 1 E. 6. 7. (which see in Discontinuance of Process:) and all acts then done by him as Justice of Peace shall be void.

LXVII. Stat. 8 El. 16. Whereas there hath been heretofore in one Sheriff chosen for each two Counties of Surrey and Sussex, Essex and Hertford, Somerset and Dorset, Warwick and Leicester, Nottingham and Derby, Oxon and Berks; hereafter there shall be one Sheriff chosen for each of the said Counties, who shall be accomptable and used in the order of his accompt, and all other things and allowances in the Exchequer, and in all other Courts and places, as is used for Sheriffs in the like places; and the portion of the said Counties shall be forthwith severed by the said Court and the Officer thereof, and also the Tallies of reward divided accordingly.

LXVIII. The Barons of the Exchequer, calling to them the Masters of the Treasurers remembrance, shall order the speedy payment of such Creation-money, Fees, Annuities, and other sums of money, as ought to be paid by the said Sheriffs.

LXIX. Provided, that the said Sheriffs shall pay for fees but the one half of what was formerly paid by them, when they were Sheriffs of two Counties.

LXX. Stat. 13 El. 22. The Statute of 8 El. 16. is made personal, except for the Counties of Surrey and Sussex.

LXXI. Stat. 27 El. 7. No Sheriff, Coroner, or other person having return of Writs, shall return any Juror dwelling out of

of a Liberty, without the true addition of the place of his abode at the time of such return, or within a year before, or for some other addition by which the party returned may be known: any Juror within a Liberty, with other addition than that given him by the Bailiff thereof and his Deputy, under his or their hand.

LXXII. No Bailiff of a Liberty or his Deputy shall receive any Juror, or deliver to the Sheriff or his Deputy the names of any to be returned upon any Panel or Jury, without the true addition, under his or their hand, of their abode at the time of such return, or within one year before, or some other addition whereby the party may be known: neither shall any Issues be brought forth against any person otherwise returned in the Original Panel or Tales.

LXXIII. No Sheriff, Bailiff, or other, shall levy any Issue extorted of any other person, than of such as by the law ought of right to be charged therewith; in pain that every Clerk who shall write or deliver, or procure such extort to be delivered or put in use, and every other person offending contrary to the meaning of this Act, shall forfeit five Marks to the Queen, and as much to the party grieved, to be recovered in Action of Debt, &c.

LXXIV. Justices of Oyer and Terminer, Assize and Peace, have power to hear and determine the offences aforesaid, and to issue forth Process for levying of the said forfeitures.

LXXV. Stat. 27 El. 12. Every Under-sheriff, who he intermeddles with his Office, shall before one of the Justices of Assize, or the Custas Rotulorum of the County, or two Justices of the Peace there, (1 Qu.) take the Oath of Supremacy, (which see in Crown) and also the Oath hereafter written, in pain to forfeit treble damages to the party grieved, if he commit any Act contrary to the said Oaths, or either of them.

LXXVI. The Form of the other Oath is as followeth:

LXXVII. I A. B. shall not use nor exercise the Office of Under-sheriff corruptly, during the time that I shall remain therein; neither shall or will accept, receive or take by any colour, means or device whatsoever, or consent to the taking of any manner of reward, of any person or persons, for the impanelling or returning any Inquest, Jury or Tales, in any Court of Record for the King, betwixt party and party, above two shillings, or the value of such and such fees as are allowed and appointed for the same by the Laws and Statutes of this Realm: but will, according to my power, lawfully and indifferently, with convenient speed, impanel all Jurors, and return all such Writ or Writs touching the same, as shall appear to be done by my duty or office, during the time that I shall remain in the said Office. So help me God.

LXXXVIII. No Bailiff of Franchise, Deputy, or Clerk of a Sheriff, or Under-sheriff, shall intermeddle with their several Offices, after they have taken the said Oaths as aforesaid, (altering one of the Oaths of Office,) in pain to forfeit 40 l. to be divided between the King and the Prosecutor.

LXXXIX. Justices of Assize, and Justices of Peace in Sessions, shall have power to hear and determine the defaults and offences aforesaid, and upon conviction to award process accordingly.

LXXX. Stat. 29 El. 4. No Sheriff, Under-sheriff, Bailiff, or Liberty, or any of their Deputies, shall, either directly or indirectly, take more for serving an Extent or Execution, than 12 d. for every pound under 100 l. and 6 d. for every pound above 100 l. in pain to forfeit treble damages to the Party grieved, and besides 40 l. betwixt the Queen and the Prosecutor.

LXXXI. This Act shall not extend to fees of Executions within Cities or Corporations.

LXXXII. Stat. 43 El. 6. If any Sheriff or other, taking Oath, shall cause him to break Writs, do make any Warrant for summons, or any Writ, Process or Suit, or for any Arrest or Attachment of Body or Goods, against any persons, to appear in any of the Queen's Courts, (not having the Original Writ or Process commanding the same,) upon complaint thereof to the Justices of the Peace of the County where the offence was committed, or the Justices of the Court out of which the Process issued, the party offending, and all procurers thereof, shall be sent for before the Justices or Judges by attachments, or otherwise, and shall be examined, upon their Oaths concerning the same.

LXXXIII. If the offence shall be confessed, or proved by sufficient Witnesses, the said Justices or Judges shall forthwith commit the Offender to the Gaol of the County or Court where he shall be examined, from whence he shall not be enlarged until he shall have paid the party grieved 10 l. and all his costs and damages, to be assessed by the same Justices or Judges, and likewise 20 l. to the Queen.

LXXXIV. Stat. 21 Jac. 5. A *Quierus est* shall be a sufficient charge for a Sheriff, unless he be questioned within four years after the grant thereof.

LXXXV. Every Officer or Minister that shall send out, or cause to be sent out, any Writ or Process, or by whose default any Writ or Process shall be sent out, contrary to this Act, shall forfeit such offence forfeit and pay to the party grieved 40 l. and damages, to be recovered by Action of Debt, &c.

LXXXVI. Stat. 13th & 14 Car. 2. Cap. 21. An Act for preventing this unnecessary charge of Sheriffs, and for ease in passing their accounts. This Act to continue to the end of the first Session of the next Parliament and no longer. *Expired.*

Ships.

Ships.

I. Stat. 38 E. 3. 8. No owner of a Ship shall forfeit the same for any small thing put therein (without his knowledge) but as is accustomed for.

II. Stat. 5 R. 2. 3. None of the King's Subjects shall export or import any Merchandise, but onely in Ships of the King's Allegiance, in pain to forfeit all Merchandise otherwise conveyed, the value thereof, whereof the finder shall have a third part, the King's gift.

III. Stat. 6 R. 2. 8. The Statute of 5 R. 2. 3. shall not have place, where able and sufficient ships of the King's Allegiance may be found; otherwise the Merchants may hire other Ships, the said Statute notwithstanding.

IV. Stat. 14 R. 2. 6. *English* Merchants shall freight (within the Realm) in *English* Ships, and not in ships of strangers, so as the owners of such *English* ships take reasonable for the freights.

V. Stat. 4 H. 4. 20. *pars inde*. All Merchandise imported and exported shall be charged and discharged in great Sea-ports and not in Creeks and small Arrivals, in pain to forfeit to the King all Merchandise otherwise charged or discharged; and any Vessel shall be driven into such a small Creek by tempest.

VI. Stat. 15 H. 6. 8. None shall ship any Wool, Woolen, or other Merchandise pertaining to the Staple, but onely at the Ports assigned by the Statute, where the King's Weights of Woolls are set.

VII. Every Master of a Vessel, wherein such Merchandise is shipped, shall give good security to the Customers there, to transport the same to the Staple at *Calais*, and to bring a Certificate thereof from thence; saving to all Merchants of *Flemish*, *Nice*, *Tuscany*, *Lombardy*, *Florence* and *Catalonia*, and to the burgesses of *Berwick*, their liberty formerly granted by Statute.

VIII. Stat. 4 H. 7. 10. No *Gascoign* or *Guien* Wine, or *louse* Wood, shall be imported into this Realm but in *English* Vessels in pain to forfeit the same.

IX. None shall freight in any strangers ship any Merchandise to be imported or exported into or out of this Realm, if he may have sufficient freight in the same Port in a Denizens ship, in pain to forfeit all Merchandise otherwise shipped, to be divided twixt the King and the seisor.

X. This Act shall not extend to any Ship (having Merchandise) forced by tempest into any Port within this Realm, so as the owners thereof make no sale of such Merchandise within this Realm, but onely for necessary victual, or repairing of the ship and tackle.

- Stat. 32 H. 8. 14. *Gascoign* or *Guien* Wines, or *Thobias*, may be imported into this Realm in any other ships but *English*, notwithstanding the Statute of 4 H. 7. 10.
- Stat. 1 El. 13. The Statute of 3 R. 2. 3. and 4 H. 7. is made void.
- III. If any owner of any Merchandize shall (in time of Peace) load or unload any part thereof (*Mastraff*, *Pitch*, *Tar* and *only excepted*) out of or into any other than an *English* ship, he shall pay Custom to the Queen for the same as an *English* ship.
- IV. No *English* man shall cross the Sea with any Hoys or Boats in pain to forfeit the same, to be divided betwixt the King and the Prosecutor.
- V. Provided, that Merchants at their several shippings of *Wool* out of the *Thames* (to be twice in the year at the most) may imbarke Merchandize in a Strangers Ship, so long as there are not *English* Ships enough and convenient, to convey Merchandize into *Flanders*, *Holland*, *Zealand*, or *Brabant*, without paying any greater Custom than *English*-men use to doe: *Dutch*-men shall doe the like, by reason of greater losses lately sustained by them.
- Stat. 5 El. 3. Any Subject may export out of this Realm any Merchandize paying Custom for the same. *But this Act was expired by Queen's death.*
- VI. None shall set prise, make restraint, or demand toll, of Sea-fish imported into this Realm by any of the Queen's Subjects in pain to forfeit the value of such fish so set price of, restrained or tolled.
- VII. This Act shall not restrain the Inhabitants of *Hull* to pay Toll and Custom, according as is limited by the Statute of 13. (which see in *Hull* 1.) Howbeit they shall not take toll thereby to transport *Herring* or *Salt-fish*.
- VIII. No Purveyor shall take any Sea-fish of any that shall take toll in any Subjects Ship, in pain to forfeit the double value thereof. Howbeit, Composition-fish (of people travelling into *France*) due to the Queen and other persons shall be paid as for-merly.
- IX. No *Herring* shall be bought of a stranger, or out of his ship, being not sufficiently salted, pickled, and casked, in pain to forfeit the same, or the value thereof; except such Vessel be lost by Shipwrack.
- X. No Fish, Victual, Wares or things shall be transported from one Strangers bottom from one Port to another within this Realm, in pain to forfeit the same, or the value thereof.
- XI. Hoys and Plats may cross the Seas as far as *Cane* in *Normandy*, or Eastward as far as *Normay*, notwithstanding the Statute of 1 El. 13.

XXHI. All God and Ling shall be brought into the Realm loose, and not in barrel, in pain to forfeit the same, or double thereof.

XXIV. No Wine of the growth of *France*, or any *Wine* of *Tholouse*, shall be imported into this Realm in any other *Vessel* than *English*, in pain to forfeit the same, according to the Statute of 4 H. 7. 10. Onely into *Wales* *Rochel*-Wines may be otherwise imported.

XXV. Owners of Ships, and all others using the trade of Sea-fishing or otherwise, and every Gunner and Ship-wright, shall take Apprentices, to be bound for ten years or under, by indenture, to be enrolled in the same Corporation, if the Master be in one; but if not, in the next.

XXVI. So much of the Statute of 5 & 6 E. 6. 14. (which is in Foresters) and of all other Statutes, as concerns the bringing in of Sea-fish unsalted, or Mud-fish, or any Wine, Oil, or Spice, shall be void, if brought in an *English* Vessel to any Port within this Realm, shall be void.

XXVII. None shall eat flesh upon days usually observed for fast-days, in pain of 3 *l.* or three months imprisonment without bail. And they that wittingly suffer any such offence to be committed in their house, and do not discover it to an Officer that may apprehend it, shall forfeit 40 *s.*

XXVIII. These forfeitures shall be divided into three parts, whereof the Queen shall have one, the Poor of the Parish shall have one, and the informer the third.

XXIX. Notwithstanding this Act, licences may be granted on just causes on these conditions following: *viz.* To a Knight or his Lady, if he pay yearly for it to the Poor of the Parish where he dwells 26 *s.* 8 *d.* to a Knight or his Lady, if he pay 19 *s.* 8 *d.* and to any other inferior person, if he pay 6 *s.* 8 *d.* But no licence shall extend to the eating of Beef at any time, or to the eating of Veal betwixt *Michaelmas* and *May-day*.

XXX. The Minister of the Parish may grant a Licence to a sick person, during the time of his sickness; and if the sickness continue above eight days, he shall in the presence of one of the Church-wardens register the same, and have 4 *d.* for the register of it. But here, if he grant the licence without just cause, he shall forfeit five Marks.

XXXI. Wines shall be sold (by retail) at such prices as shall be limited by the Queen's Proclamation, with the assent of the Lords and others as by the Statute of 18 H. 8. 14. (which is in Wines) are authorized to set prices on Wines in gross.

XXXII. The Statute of 28 H. 6. 19. (which is in Soldiers) ordained against Soldiers, shall extend to Mariners and others.

XXXIII. These offences shall be heard and determined at the next Court loweth: *viz.* being committed upon the main Sea, within the limits of the *Cinque*-Ports, by the Lord Admiral, his Lieutenant

or by Justices of *Oyer and Terminer*, according to the Statute of 28 H.8. 15. (*which see in Trial*;) but if without any such Justices, and yet within the Jurisdiction of any of the *Cinque-Ports*, or of the Lord Warden of the *Cinque-Ports*, or his Substitute, or of the Justices of *Oyer and Terminer*, according to the Statute of 28 H.8. 15. or if in a Port, or elsewhere upon the main land, then by the Justices of Peace, or other chief Officers in Sessions, within the several Jurisdictions. And here the trial may be by the twelve men, or otherwise by information. And for letting the said forfeitures, the said Officers and Justices may issue Writs at their discretion.

XLIV. The time limited for the prosecution of this Action is for a Subject six months, and for the Queen a whole year.

XLV. Every such person licensed to eat flesh, as aforesaid, for sickness, age, or other impediment shall have at his house for every dish of flesh, one dish of fish, upon like pain forbearing flesh upon Fish-days.

XLVI. If any shall by Preaching or otherwise avouch or notify any eating of flesh, or forbearing of flesh, is necessary for saving of the soul, or the service of God, otherwise than the polinick Laws be, he shall be punished as a spreader of News. *Which see in News.*

XLVII. Fisher-men or Mariners shall not be compellable to be Soldiers, otherwise than as Mariners, unless for some exploit, or to withstand an Invasion, or subdue a Rebellion, and so to doe by tenure, custome, or covenant.

XLVIII. The Liberties and Rights of others are saved.

XLIX. Provided, that no Fisher-men using the Sea shall be taken by the Queen's Commission to serve as a Mariner at Sea, unless the said Commission be first brought by the Queen's Taken to two next Justices of Peace, to the end they may chuse and take such sufficient number of able men as in the same Commission shall be contained.

L. The Liberties of the *Cinque-Ports* and Great *Yarmouth* are saved, other than for buying of strangers, and taking of toll, and other things before prohibited.

LI. This Act shall not prejudice the authority or jurisdiction of the Lord Warden of the *Cinque-Ports*.

LII. Wine may be imported into the Isle of *Man* and *Chep-* *Man* strangers bottoms not exceeding an hundred Tun in one ship or barge of them, notwithstanding this Act. The like may also be imported in all other Ports of *Wales* (besides the *Rochel* Wines) so as the quantiry exceed not an hundred Tun in one ship or barge, as before.

LIII. The Queen's duties for the three hundred Tun (mentioned in the last clause) are saved.

XLIV. The Lord Admiral, or his Substitutes, shall have a greater authority than they had before this Act, save only the punishment of offences, as aforesaid.

XLV. Stat. 8. El. 3. None shall transport Sheep beyond Sea in pain to forfeit all his Goods, to suffer one years imprisonment and to have his hand cut off in some open Market; and for the second offence, to suffer death as a Felon.

XLVI. This Act shall not extend to corruption of Blood, forfeiture of Dower.

XLVII. Justices of Gaol-delivery and of Peace have power to hear and determine this offence.

XLVIII. The aforesaid Goods forfeited shall be divided twixt the Queen and the Prosecutor.

XLIX. Stat. 13 El. 11. So much of the Statute of 1 El. as concerns the transporting of Herring and Sea-fish by the Subjects born, and for not paying of Custom for the same, shall be revived, so as it be in Vessels with cross sails.

L. No Vessel called a Catch, Monger, or Picard, shall go to the coasts of Norfolk and Suffolk, between the 14th. of September and the 14th. of November, from Sun-setting to Sun-rising, anchor upon the main Sea, or in the trade of fishing, in pain to forfeit their Vessel, or the value thereof, to be divided between the Queen and the Corporation of Great Yarmouth, to be applied towards the damages of the party grieved, and the repairs of the Haven there, and to be recovered by seizure, or otherwise by Bill, Action, &c.

LI. A Barrel of thirty one Gallons of Wine-measure, (which is about twenty eight Gallons by the old standard) which will contain usually a thousand full Herrings at least, shall be taken to be the Assize of Herring-barrels.

LII. Fo foreign Fish shall be dried in England to be in pain to forfeit the same, or the value thereof, to the Sea and the Prosecutor.

LIII. Stat. 13 El. 15. So much of the Statute of 1 El. as permits crossing the Seas with Hoys and Plats is repealed, and the Statute of 1 El. 13. that prohibits them is revived.

LIV. Stat. 35 El. 7. The above said penalty of 3*l.* (which by the Statute of 5 El. 5.) is mitigated to 20*s.* and that of 10*l.* to 13*s.* 4*d.*

LV. Stat. 39 El. 10. The Queen's Subjects (being owners of Ships with cross sails) may take into their Ships any Fish which any Alien shall buy of any Subject, and may transport the same beyond the Sea in their said Ships, so as such an Alien pay the Custom due for the same.

LVI. All Aliens shall pay like Custom for Salt-fish and Herrings by them imported into this Realm, as a Subject of England shall pay there from whence the said Fish or Herrings were brought, besides the Queen's ordinary custom.

VII. None shall offer to sell any unwholsome Fish (being thereof by the Officer) in pain to forfeit the same : and if an Alien, he shall forthwith export it, upon the like pain.

VIII. Stat. 34 El. 9. No Ordinance made by the Fish-mon-
in London, or any other Corporation, restraining any Coast-
Fisher-man, or other, from taking, bringing in, putting to
or buying of Salt-fish or Herrings, (being wholsome) shall be
in execution, in pain of 100*l*.

LIX. Stat. 1 Jac. 24, none shall make, or cause to be made,
Cloth for Ships-sails, (called *Mildernix* and *Powldavis*,)
which as now use the same Trade, or shall be hereafter trained
herein by the space of seven years together, in pain to forfeit
10*l* a month.

LX. The said Cloths shall be made of good Hemp, and thirty
yards long, and three quarters of a yard broad ; and they
shall not be put to sale before the stuff thereof be well beaten,
beaten and breached, and the Cloth well driven with a brazen
iron shuttle : in pain to forfeit for every Cloth otherwise
made 5*s*.

LXI. The forfeitures aforesaid shall be divided betwixt the
King and the Prosecutor.

LXII. Stat. 16 Car. 1. Cap. 14. The late proceedings tou-
ching assessing and levying an Imposition called *Ship-money* de-
clared and adjudged unlawfull, and all Records and Process, Judg-
ments, Proceedings and Enrolments thereof cancelled & made void.

LXIII. Stat. 12. Car. 2. Cap. 18. No Goods shall be imported
or exported out of any Territories belonging, or which
shall belong to the King, in *Asia*, *Africa*, or *America* in other
places than such as belong only to the people of *England* or *Ire-*
land, *Wales*, or Town of *Berwick*, or of any the said Territo-
ries, and whereof the Master and three fourths of the Mariners
be *English*, on pain to lose such Goods and Vessel with all it's
contents : one third whereof to the King, the other third to the
Governour of such Territory where such default shall be, if sei-
zed there, otherwise that third also to the King, the other third
to him that will seize or sue for the same. Commanders at Sea
by Commission from the King, are to bring in as prize, Ves-
sels offending contrary hereunto : and in case of condemnation,
the moiety shall be to the use of such Commanders and their
Companies to be divided according to the rules of the Sea in case
of prize, the other moiety to the King.

LXIV. No Alien shall be a Merchant or Factor in any the said
places on pain to lose all his Goods or which are in his possession,
one third to the King, another third to the Governor of the
place, and the other third to any that will sue in any the
Courts there. All that shall be made Governors of such
places shall before their entrance into their Government
swear Oath to doe their utmost, that the Clauses afore mentioned

be duly observed : and upon complaint to the King or such who shall thereto appoint, that such Governors have been wilfully negligent therein, the Governours so offending shall be removed.

LXV. No Goods of the growth and manufacture of *Africa*, *Asia* and *America* shall be imported into *England*, *Ireland*, *Wales*, *Isles of Gernsey* or *Jersey*, or Town of *Berwick*, in other Vessels than *ut supra*, with Master and Mariners *ut sup.* on pain to forfeit all such Goods and Vessel : one moiety whereof to the King, the other to him that will seize or sue for the same.

LXVI. No Goods of foreign growth or manufacture brought into *England*, *Ireland*, *Wales*, *Gernsey*, *Jersey*, or Town of *Berwick* in *English* or other Shipping belonging to some of the aforesaid places and Navigated as aforesaid, shall be brought from other places than those of the said growth or manufacture, or from those Ports where they can onely or usually have been shipped for Transportation, on pain to forfeit such Goods and the Vessel one moiety whereof to the King, the other moiety to him that will seize or sue for the same.

LXVII. Dried or salted Fish usually caught by the people of *England*, *Ireland*, *Wales*, and Town of *Berwick*, Cod-fish or Herring, Oil or blubber made of any fish, Whalefins or Whalebones imported into *England*, *Ireland*, *Wales* or Town of *Berwick*, not having been caught in Vessels belonging thereto, and the Fish cured and dried, and the Oil and Blubber (which shall pay as Oil) not made by the people thereof, shall pay double *Alien* Custom.

LXVIII. None shall load in any Bottom, whereof *Strangers* are owners, part-owners or Master, and whereof three fourths of the Mariners at least are not *English*, any Goods whatsoever from one Port or Creek of *England*, *Ireland*, *Wales*, *Gernsey*, *Jersey* or Town of *Berwick*, to another Port or Creek of the same, on pain to forfeit such Goods and Vessel, one moiety to the King, the other to him that will seize or sue for the same.

LXIX. Where any abatement or privilege is given in the rate of Rates to Goods imported or exported, in Shipping bound to or from *England*, *Ireland*, *Wales*, *Gernsey*, *Jersey* or Town of *Berwick*, in any the King's Territories in *Asia*, *Africa* and *America*, it is to be understood that the Master and three fourths of the Mariners shall be *English* : and where that is required, the meaning is, that they shall be such during the whole Voyage, unless in case of sickness, death or being taken Prisoners, to be proved by oath of the Master.

LXX. No Goods of the growth or manufacture of any Countries belonging to the Duke of *Muscovy*, no Malts, Timber, Boards, no foreign Salt, Pitch, Tar, Rozin, Hemp, Flax, Rye, Figs, Prunes, Olive-Oils, no Corn, Grain, Sugar, Potatoes, Wines, Vinegar, Aquavite, or Brandy-Wine, shall be imported into *England*, *Ireland*, *Wales*, or Town of *Berwick* in any

to the people of some of them, and navigated as
No Goods of the growth or manufacture of the *Tu-*
shall be imported into any the places aforesaid, in any
of *English* built and navigated as aforesaid, except
the built of that place, of which the Goods are, or
where they can onely be or usually are Shipped:
the Master and three fourths of the Mariners are of
Country: on pain to forfeit Ship and Goods to be disposed
aforesaid.

All Wines of the growth of *France* or *Germany* which
imported into the places aforesaid in any other Vessel
which doth belong to *England, Ireland, &c.* and is Navigated
aforesaid, and all Malts, Timber, or Boards, foreign Salt, Pitch,
Tar, Hemp, Flax, Raisins, Figs, Prunes, Olive-Oils,
of Corn or Grain, Sugar, Pot-ashes, Brandy-wine or
Wines of the growth of *Spain, the Canaries* or *Por-*
Malaga or *Western Islands*, and all Goods of the growth
manufacture of *Muscovy* or *Russia*, all Currants and *Turkish*
imported into any the aforesaid places, in other
Shipping and so Navigated, shall be deemed Aliens
and pay accordingly.

No foreign built Vessel shall pass as a Ship to *England,*
Wales or Town of *Berwick* belonging, till the owners
appear to the chief Officers of the Customs in the Port
the place of his abode, that he is not an Alien, and
Oath before such chief Officer, that it was *bona fide*
expressing the sum given, and the time, place and per-
whom it was bought, and who are his part-owners, (if
any) all which shall be liable to take the said Oath be-
the chief Officer of the Customs in the Port next to the
their abode, and that no Foreigner hath any share there-
upon such Oath receive a Certificate under the hand and
the said Officer, The said Officer shall keep a Register of
Certificates, and return a Duplicate thereof to the chief Of-
of the Customs of *London*, for those granted in *England,*
and *Berwick*, and to the chief Officers of the Customs at
for those granted in *Ireland*, with the names of the
of whom such Ship was bought, the sum paid, and the
of the part-owners.

If any Officer of the Customs allow the privilege
English built Ship to any Foreign built Ship till such Cer-
produced or proof made, or to any *English* or other built
will examination, whether the Masters and three fourths
Mariners be *English*, or to any foreign built Ship bringing
Commodities of the growth of the Country, where it was
the privilege by this Act given, till examination whether
built of that Country, and the Master and three fourths
be of that Country: or if any Governour of any

Territories in *Africa*, *Asia*, or *America*, suffer any Foreign Vessel to load or unload Goods till such Certificate produced and examination made, such Officer of the Customs and Surveyor shall be put out of their places.

LXXIV. Commodities of the Streights may be imported in the usual places of lading them, and *East-India* Commodities in the usual places of lading them in any part to the Southward Eastward of *Cabo bona speranza*, though they are not the usual places of their growth. The people of *England*, *Ireland*, *Wales*, *Gernsey*, *Jersey*, or Town of *Berwick* may bring in from *Spain*, *Portugal*, *Azores*, *Madera*, or *Canary* Islands all Commodities of the growth or manufacture of either of them respectively.

LXXV. This Act shall not extend to Bullion nor Goods imported by reprisal by Ships belonging to *England*, &c. and Navigated as aforesaid, and having Commission from the King, nor to lay duties on any Corn of *Scotland*, Salt made there, or Fish caught and cured by the people of *Scotland*, and imported in *Scotch* built Ships, and whereof three fourths of the Masts are of his Majesties Subjects, nor to seal Oil of *Russia* imported thence into *England*, *Ireland*, &c. in shipping to the said Islands belonging, and Navigated as aforesaid.

LXXV. Every Vessel belonging to any Subjects of the King lading or unlading in any Port, Road, &c. in *England*, *Ireland*, *Wales* or Town of *Berwick*, any Goods, or taking in on shore, any Passengers, shall pay for every Tun of in then 5 s. this Duty shall continue as long as a Duty of 30 s. per Tun or any part thereof shall be collected of the Shipping in *land* lading in *France*, and three months after.

LXXVI. No Sugars, Tobacco, Cotton-wool, Indicoes, Cloves, Fustick or other dying wood of the growth of any *English* Plantations in *America*, *Asia* or *Africa* shall be transported to any place, other than to some *English* Plantation, or to *England*, *Ireland*, *Wales*, or Town of *Berwick*, on pain to forfeit their value and the Ship with her furniture, one moiety to the King, the other to him that will seize or sue for the same.

LXXVII. For ever Vessel which shall set out from *England*, *Ireland*, *Wales* or Town of *Berwick*, for any of the said Plantations Bond shall be given with one surety to the chief Officer of the Custom-House of the place from whence it sails, of 1000 l. if the Ship be less than of the burthen of 100. Tuns: and of 2000 l. if of greater burthen, that if the said Vessel load any of the said Commodities at such Plantations, it shall bring them to some Port of *England*, *Ireland*, &c. and for all Ships coming from any Port to those Plantations, the Governors, before the Ship is admitted to load, shall take bond as aforesaid, that it shall carry to some other *English* Plantations, or to *England*, *Ireland*, &c. every Ship taking on board any of the aforesaid Goods, shall give Bond given or Certificate produced from some Custom-House.

Of such Bonds there given, shall be forfeited to be
and recovered *ut supra*; and the said Governors shall
every year return true copies of such Bonds to the chief
of the Custom in London. Confirmed 13 Car. 2. Cap. 14.
VIII. Stat. 13 Car. 2. Cap. 9. For the better govern-
of the King's Ships of War and Forces by Sea, these orders
be observed, *viz.*

1. Officers shall cause the Worship of God according to the Li-
of the Church of England to be perform'd in their Ships,
Prayers and Preachings by the Chaplains in Orders, and that
Lords day be observed. 2. They that use unlawfull Oaths,
Curse, Execrations, Drunkenness or Uncleaness, &c. shall be
imprison'd or otherwise punished as the Court Martial
think fit. 3. If any give or entertain Intelligence, to or
Enemies or Rebels without leave from the King, Admiral,
Admiral, or Commander in chief of any Squadron, they
suffer death. 4. If any Letter or Message come from an
to an inferior Officer or other person, and he acquaint not
superior with it within twelve hours, having opportunity, or
superior Officer acquainted or receiving a Letter, &c. from
Enemy or Rebel in person, do not in convenient time re-
it to the Admiral, Vice-Admiral, or Commander of the
Squadron, such persons shall suffer death, or such imprisonment
Court Martial, &c. 5. Releiving an Enemy or Rebel shall be
punished with death or as a Court Martial, &c. 6. All writings
aboard any Prize shall be sent up entirely to the Court of
Admiralty, or Commissioners appointed for that purpose, on pain
of the takers shares, and such farther punishment as a
Court Martial, &c. 7. None shall take any Goods out of any Ship
for Prize, till Judgment in the Admiralty, on pain of such
punishment as a Court Martial or Court of Admiralty shall impose:
Goods upon and above the Gun-deck, other than Arms,
Ammunition, Tackle, Furniture and Stores of the Ship. 8. None
steal or imbezel any of the Ships Furniture or Ammunition
on pain of Death, or as a Court Martial, &c. 9. If a Ship taken as
make no resistance, none of the Captains, Masters or Mari-
being Foreigners shall be evil intreated on pain of double
damages. 10. Commanders, who upon likelihood of Engage-
ment shall not put things in a posture for Fight and encourage
men, shall be cashier'd: if they yield or cry for Quarter, they
suffer death or such punishment as the offence deserveth. 11. All
observe the Commands of the Admiral or other their Supe-
on pain of death, or such punishment, &c. 12. Officers and
that in time of Fight do not their utmost to endamage the
Enemy, Pirate or Rebel, and to relieve the King's Ships shall suf-
fer death, or as a Court Martial, &c. 13. Captains, &c. appoin-
ed for Convoy, that shall not defend the Ships in their Convoy,
that shall exact money from them belonging to Subjects,
shall

shall make reparation as the Court of Admiralty shall adudge and suffer death or such other punishment as the Court Martial, &c. 14. Whoever shall forbear to pursue an Enemy, Pirate or Rebel flying or beaten, or to relieve a known friend in view, shall suffer death or as a Court Martial, &c. 15. None shall put back ward or discourage service and action commanded on any pretence of Wages, upon pain of death. 16. All that turn to the Enemy, &c. and either run away with their Ship, Ammunition, &c. or yield it up to the Enemy, &c. shall suffer death. 17. All that desert their Employments, run away or entice others so to doe, shall suffer death. 18. All Spies shall be punished with death. 19. None shall utter words of sedition or mutiny, nor make or endeavour any mutinous Assemblies on pain of death. 20. None shall converse traitorous or mutinous practices or words, nor words to the prejudice of the King or Government, nor words nor practices tending to the hindrance of the Service, but reveal them to their Superior, on pain of such punishment as a Court Martial, &c. 21. None shall quarrel with his Superior on pain of severe punishment, nor strike any such, on pain of death, or as a Court Martial, &c. 22. For unwholsomness of Victuals or other just ground complaint shall be made by each to his Superior, &c. but none shall privately attempt to make disturbance, on pain of such punishment as a Court Martial, &c. 23. None shall quarrel or fight or use provoking speeches, on pain of imprisonment, or as a Court Martial, &c. 24. There shall be no wastefull expence nor embezelment of any stores in the Fleet on such penalties by fine, imprisonment or otherwise upon the Offenders, Abettors, Buyers and Receivers at a Court Martial, &c. 25. They through whose default any of the King's Ships are stranded, split or hazarded, shall be fined and imprisoned, or otherwise punished as a Court Martial, &c. 26. They that willingly set fire on any Ship or other Vessel, their store or furniture, not appertaining to an Enemy or Rebel, shall die. 27. No man shall sleep on his watch or negligently perform his duty, or forsake his station, on pain of death, or as a Court Martial, &c. 28. Murthers and wilfull killing shall be punished with death. 29. Robbery and Theft shall be punished with death or as a Court Martial, &c. 30. No Provost-Martial shall refuse to receive any Prisoner, nor suffer him to escape on pain of such punishment as should have been inflicted on the party, or as a Court Martial, &c. 31. All shall endeavour to apprehend Offenders, and assist the Officers thereto appointed, on pain of such punishment as a Court Martial, &c. 32. Sodomy and Buggery shall be punished with death without Mercy. 33. All Misdemeanors not here mentioned shall be punished according to the Laws and Customs used at Sea. The Admiral may grant Commissions to Vice-admirals and Commanders of Squadrons to call Courts Martial of Commanders and Captains. No Court Martial shall inflict death that consists of more than five Captains: the Admirals Lieutenant shall be as a Court

purpose. No execution of any sentence of death by these Articles (except in case of mutiny) shall be without the order of the Admiral, if the offence be committed within the Seas; and if elsewhere, not without order of the Commander of that Squadron, where the sentence passed. 35. The Advocate, and in his absence whom the Court Martial shall order, may administer an Oath in order to the examination or trial of these Offences. 36. This Act shall give Jurisdiction onely of the offences aforesaid, as shall be done upon the main of the Vessels hovering in the main stream of great Rivers, beneath the Bridges, nigh to the Sea within the Jurisdiction of the Admiralty, and onely by persons in service and pay in the Ships of War.

LXX. Stat. 13 & 14 Car. 2. Cap. 11. Whereas it is required by the Statute of 12 Car. 2. Cap. 18. that in sundry cases three fourths of the Mariners are to be *English*; and the King's Subjects of *England, Ireland*, and his Plantations are to be accounted *English* and no others, and the number of Mariners accounted according to what they shall have been during the whole Voyage.

LXXI. Stat. 19 Car. 2. Cap. 11. An Act to make Prize-taken during the late War with *France, Holland* and *Denmark* and condemn'd in the Admiralty, free for Trade. See Prize.

LXXII. Stat. 22 & 23. Car. 2. Cap. 11. Where any Goods are laden on board any *English* Ship, of the burthen of 200. Tons upwards, and mounted with sixteen Guns or more, if the Master yield up such Goods to any *Turkish* Vessels or any other, without Fighting, he shall upon proof thereof in the Admiralty, be incapable of taking charge of any *English* Vessel or Commander: and if he take upon him such charge he shall be imprisoned six months by Warrant from the said Court. And they that take such Goods, give back the Ship or pay the Master any Money or Goods for freight, or other gift or reward, or any such or money so given or value thereof and the Masters part of the Ship, shall be liable to repair the persons, whose Goods are delivered or taken, by action in the Admiralty: all which shall not be sufficient, the reparations shall be recovered on the Master's part, to be divided *pro rata*, and the persons endamaged shall have their Actions against the Master for the remainder.

LXXIII. No Master of an *English* Ship discovering any Ship or *Turkish* Ship or Pirate, shall depart out of his own Ship upon any pretence whatsoever. Masters of *English* Ships, though of less burthen aforesaid, nor mounted as aforesaid, that shall discover any *Turkish* Ship or Pirate (not having at least his double of Guns) without Fighting, shall be liable to all the penalties in this Act.

LXXIV. Upon Process out of the Admiralty, Commanders of Ships of War, or other *English* Ships, may seize such Ships

Ships or Masters and bring them in custody into any Port, proceeded against.

LXXXIV. Mariners and other inferior Officers refusing to be when commanded, or uttering words to discourage others, shall lose all their Wages due, and such Goods as they have in the Ship, and be imprisoned not exceeding six months, and during such time, be kept to hard labour for their maintenance.

LXXXV. Masters of Ships that have been yielded contrary to their will, by the disobedience of the Mariners, testifying by using violent hands on them, shall not become incapable as aforesaid, nor liable to any action for the Merchants losses, unless they have received back from the takers some recompence.

LXXXVI. Mariners laying violent hands on their Commanders to hinder them from fighting in defence of their Ships, shall suffer death as Felons.

LXXXVII. When any *English* Ship shall have been detained by fight and brought to her Port, in which Fight any of her Men have been wounded, the Judge of the Admiralty, or his Successor, or of the Vice-Admiralty where the Ship shall arrive, upon Petition of the Master and Seamen, may call so many as he shall be informed to be Adventurers or Owners, and by advice of them, levy upon the respective Owners and Adventurers such sums as himself with the Major part of them then present shall judge reasonable, not exceeding two *per Cent.* of the Ship and Goods, according to the Envoy or by Oath of the owner, Master, or, &c. which money shall be paid to the Register, of the Admiralty Court, who shall receive three pence in the pound for the same, to be distributed among the Captain, Master, Officers and Seamen, or the Widows and Children of the slain, according to the direction of the Judge, with approbation of three or more of the Owners or Adventurers.

LXXXVIII. If the company of any *English* Merchantmen shall take a Ship which shall first have assaulted them, the Officers and Mariners thereof after condemnation, shall receive such wages as is practised in Private Men of War.

LXXXIX. Captains, Masters, Mariners, &c. wilfully detaining the Ship to which they belong, or procuring the same to be done, shall suffer as Felons.

X. Stat. 22 & 23 Car. 2. Cap. 26. The word *Ireland* shall be left out of all Bonds taken in pursuance of the Statute in 16 Car. 2. Cap. 18. v. sub. sect. LXXVII.

XCI. Every Vessel that shall take on Board any of the Commodities there mentioned, at any of the said *English* Plantations, till such Bond given or Certificate produced from the Office of some Custom-House in *England, Wales*, or Town of *Bristol*, or such Bond hath been there given, or which shall carry the same to any place contrary to the tenor of such Bond, shall be seized with all her Guns, Ammunition, Furniture and Lading, or

the other moiety to him that will seize or sue for the same in any of the said Plantations, in the Court of the High-Admiral of England, or any Vice-Admiral, or any Court of Record in England.

XII. The Governors of his Majesty's Plantations in America shall once a year at least return to the Officers of the Customs in the Port of London, or such as the King shall appoint to receive the same, a List of such Vessels as shall lade any of the Commodities in such Plantations, and of such Bonds taken: If any Ship belonging to any of the said Plantations having aboard any Sugars, Tobacco, Cotton-wool, Indicoes, Ginger, or other dying Wood, shall unlade in any other place of Europe, than England, Wales, or Town of Berwick, such Vessel shall be forfeited with her Ammunition, Furniture and Lading, to be recovered and divided as afore said.

XIII. Any person may prosecute such Ship in any Court of Admiralty in England.

XIV. *Tangier* shall not be taken to be a Plantation within the meaning of this Act or the 15 Car. 2. Cap. 7. or the 12 Car. Cap. 18.

XV. This Act shall continue for nine years, and to the end of the Session of Parliament then next ensuing.

Silk, and Silk-throwing.

I. Stat. 19 H. 7. 21. None shall bring or cause to be brought into England any Silk wrought (by it self or with other stuff) out of England in Ribbon, Laces, Girdles, Cauls, Corsets, Tissues, or in pain to forfeit the same, or the value thereof, to be divided betwixt the King and the seisor or prosecutor: But all other (both wrought and raw) may be imported and sold at pleasure.

II. Stat. 13 & 14 Car. 2. Cap. 15. None shall exercise the Trade of a Silk-thrower, unless such as have served seven years Apprenticeship thereto, on pain to forfeit 40 s. for every month, one half to the King, the other to him that will sue in any Court of Record, or before the Justices of Oyer and Terminer or Justices of the Peace at their Quarter-Sessions.

III. All that now use as Masters the said Trade, or have served Apprentices to it seven years in London and Westminster, or within twenty miles compass of them, shall enter themselves before the 25th. of December 1662. in the Company of Silk-throwers in London, on pain to forfeit 40 s. for every month they use the Trade after that time, one half to the King, the other to him that will sue in any Court of Record or before the Justices of Oyer and Terminer or Justices of the Peace at their Quarter-Sessions.

IV. The

IV. The Masters, Wardens, Assistants and Commonalty of the said Company may execute within the precinct aforesaid all authorities granted by this Act or their Letters Patents of Incorporation.

V. Silk-winders and doublers purloining, embezzling, pawning, selling, or detaining Silk delivered to them to wind or double; they and their Journeymen, Buyers and Receivers of such Silk being convicted by confession or oath of one Witness before a Justice of Peace or chief Officer of the City or Town Corporation where, &c. shall make such recompence for damages and charges, not exceeding what the party grieved shall prove he is damaged and has expended, as the said Justice, or, &c. shall appoint: and in default of satisfaction within fourteen days after conviction, shall be whipped or set in the Stocks.

VI. Freemen of the Company may employ Native Subjects and no others to double and wind Silk though they have not served seven years as Apprentices.

VII. The Corporation shall not by virtue of this Act make Ordinances to set rates on throwing of Silk.

VIII. Stat. 20 Car. 2. Cap. 6. A by-Law made by the Company of Silk-throwers in London, stinting the Freemen of the said Company not to work with above a hundred and sixty bobbles at one time, and the Assistants with above two hundred and forty, shall be null and void; and the Company disabled from making any by-Law which shall limit the number of the throwers about the said Mystery.

IX. No by-Law made or to be made by the said Company shall confine any Freeman to take a less number than three Apprentices at any time.

Southampton.

I. Stat. 11 H. 7. 5. Every man may pull down the Walls and Engines in the Haven of Southampton, between Calveley and Rebridge; and whosoever levieth any other there, shall pay treble to the King.

II. Stat. 14 H. 8. 13. A confirmation of 11 H. 7. 5. and the same made perpetual.

III. Stat. 4 Jac. 10. An Act was made for the confirmation of some part of a Charter granted by H. 6. to the Mayor, Aldermen and Burgeses of Southampton, and for the relief of the Town. See the Statute at large.

Southampton.

Southwark.

Stat. 29 Car. 2. Cap. 4. The Justices of the King's Bench, the Judges of the Common Pleas and Barons of the Coif of the Exchequer, the Mayor of London and Recorder for the time being, and a Alderman that hath been Lord Mayor, the Steward of Southwark, Sir Visc. Longford, Sir Fr. Vincent Baronet, Sir Adam Barclay Baronet, Sir William Mordaunt Baronet, Sir Edmund Boyer Baronet, Sir William Howard Knight, and others, (whose names see in Act at large) or five of them, whereof one of the said Justices is to be one, are hereby constituted a Court of Record, they may summarily at their discretions, hear and determine all matters arisen or which may arise concerning the building or rebuilding the houses, &c. burnt down by a Fire happening in Southwark on the 26th. of May last past, or concerning the paying or abating any Rents, (other than arrears due on or before the 1st. of March 1676.) &c. and all incidents relating thereunto, the definitive order of the said Court to be final against all persons concerned thereunto, without appeal or review other than by writ of Habeas Corpus expressed.

The said Court may order the surrendring, encreasing, decreasing, ceasing or charging any Estates in the premisses, or new leases to be made to late Occupiers or others that will build, or refuse, at such rent or fine as they think fit : such Decrees shall be made notwithstanding any disability, Estate-tail, right of the Church, or other Corporations, &c.

Upon Petition made to the said Court in writing, any three persons authorized in Court or out of Court may summon Parties, and Witnesses, to appear at a day, and upon appearance or default of such persons, upon Oath made of such summons being served, (the service to be such as is allowed to be good in writ of *subpoena*) the Court may proceed to determine the controversy : saving, that when persons to be summon'd, are beyond the time of the issuing of such summons or cannot be found, the proceedings be thereupon till six months after : and then upon Oath of endeavouring to serve the said summons, the Court may proceed, unless the persons upon a new summons after their being served or being found shall appear sooner.

If the persons interested shall not lay the foundations of the houses within two years after the 25th. of March next, and the time to be limited by the said Court finish the same, the Court may dispose of the soil to such as will build, and award possession to the proprietors ; who if they will not, or through disability cannot accept thereof, the Court by Warrant to the Chief Bailiff of Southwark may impanel a jury, to assess such recompense.

recompence as they think fit, upon payment whereof or tender and refusal, the ground to remain to the builder according to the Decree of the Court.

V. Orders made by fewer than seven of the persons authorized upon exceptions presented in writing within thirty days after they are made, to any of the Judges or Barons aforesaid, and their subscribing that they find probable cause of complaint may be reviewed, revers'd, affirm'd, enlarged, or otherwise altered, and costs given against the Appellants, by any seven or more of the Justices and Barons and other persons authorized other than such as have made the same.

VI. Such appeals to be finished within six months after delivery of the exceptions, or stand discontinued.

VII. No Writ of Error or *Certiorari* shall be allowed to remove or remove the said Orders and Decrees.

VIII. The said Judgments, Orders and Decrees shall be entered in Books of Parchment, and subscribed by those that made the same, the Books to be delivered to the Town-Clerk of London, to be kept among the Records of the City; and persons concerned shall have liberty to peruse and take copies thereof: the authorities given by this Act to continue three years from the said 25th. of March.

IX. All persons constituted Judges of the said Court, other than the Justices of the one Bench or other and Barons of the Court of the Exchequer, before they execute the authorities here mentioned, shall take this Oath before the Lord Mayor of London, *I do hereby swear, that I will justly and truly execute the powers and authorities in this act contained, and according to the best of my knowledge, without favour or affection to any of the parties concerned. So help me God.*

Five of the persons so constituted; after they have taken the Oath, may administer it to the Lord Mayor.

X. Encroachments and Purprestures on the High-street, from the foot of the Bridge to *Compter-lane*, shall be reformed to the said Court: saving to the Inhabitants of the High-street power to suffer their Stall-boards, when their Shop-windows are open, to extend one foot into the Street.

XI. Differences concerning Party-walls and other Walls, hanging up Lights, Ways, Water-courses, &c. shall be ordered by the Court, and satisfactions awarded to persons damaged.

XII. The Court may order such Fees for such Officers as they think necessary to attend the Court, which shall be hung up in some publick place.

XIII. Any of the persons so constituted may take Affidavits in Court and out of Court, concerning serving Process: and committing perjury therein may be proceeded against as for other perjury at the Common Law.

XIV. If any of the said persons present at the making any decree, shall die before he sign it, the signing of it by the survivors shall be effectual.

XV. Not

Nothing in this Act shall extend to alter or avoid any lease made since the Fifth: but any such Builder may have leave of the Court for corroborating the same, if he desire it. No person hereby constituted Judge of the said Court, shall have a vote or place there, when himself is a party, but shall be during the debate.

Where any is decreed to build, seal a Lease or give seal to persons concerned, in default thereof, may by action in any Court of Record at *Westminster* recover damages for non-performance, or maintain a Bill in Equity for a performance *in specie*: and persons ordered to abate any annoyance or purpresture and neglecting the same, may be indicted for contempt.

Where any persons shall be decreed to pay money, persons concerned, upon non-payment may have an Action at Law for the same, and give the Decree in evidence.

In suits for any thing done in pursuance of this Act, the Defendant may plead the general issue, and upon any issue joyned shall shew the special matter in evidence; and if the Plaintiff dies or Judgment pass against him, the Defendant shall have his costs.

Southmark-Market shall be kept where and when it hath been kept, and not removed to any other place nor held at any other time.

Spice.

Stat. 1. 19 Jac. 19. All Spice, Drugs, and other Merchandise garbleable, shall (for the fees usually allowed) be sufficiently garbled, and afterwards sealed by the Garbler (thereunto appointed) or his Deputy, before they be sold, in pain to forfeit the value thereof: Also such as after garbling shall be mixed with Garble, shall likewise be forfeit.

It shall be lawfull for the said Garbler to search in Shops, Ware-houses, and other places, for Wares ungarbled, and find any such, to cause them to be garbled.

The forfeitures of this Act are to be divided betwixt the Garbler and the Prosecutor.

Spices or other garbleable Merchandize imported, and after within eight months exported without being sold or garbled, shall not be within the danger of this Act.

Spiritual Laws.

Stat. 13 El. 12, Every Spiritual person (under the degree of Bishop) pretending to be a Priest or Minister of the Word in any other form of Institution or Consecration than that established by E. 6. or now used, shall before *Christmas* next (in the presence

presence of the Bishop, or Guardian of the Spiritualities, of the Diocese where he hath his Benefice) declare his assent, and subscribe to the Articles of Religion put forth by the Queen's Authority, and shall bring from such Bishop or Guardian under seal a Testimonial thereof, and publickly (on some Sunday Evening-Prayer) where his Benefice is, read the said Testimonial and Articles, in pain to be *ipso facto* deprived of all his Spiritual Promotions, as if he were dead.

II. If any Ecclesiastical person (having a Benefice) shall maintain any Doctrine repugnant to the said Articles, and being before convened before the Bishop, Ordinary, or High Commission, shall persist therein, or after revocation thereof shall do the same again, it shall be lawfull for such Bishop, Ordinary, High Commission, to deprive him.

III. None shall be admitted to a benefice with Cure unless be a Deacon, and of the age of twenty three years, and shall subscribe the said Articles in the presence of the Ordinary, and publickly read them in the Church of his Benefice, and declare his assent thereunto.

IV. Every person hereafter to be admitted to a Benefice with Cure shall, within two months after his Induction, publickly read the said Articles in the Church whereof he hath the Cure, at Common-prayer-time, with Declaration of his assent thereunto, and be admitted to administer the Sacraments within one year after his said Induction, (if he be not admitted before :) in pain upon every such default to be deprived *ipso facto*.

V. None shall be made Minister, or admitted to preach, or administer the Sacraments, under the age of twenty four years, unless he first bring to the Bishop (from four known to the Bishop to be of sound Religion) a Testimonial of his Life and Doctrine expressed in the said Articles, and able to render an account of his Faith in *Latin*, according to the said Articles, or have some gift or ability to be a Preacher : Neither shall any be admitted to be a Deacon or Minister, unless he first subscribe the said Articles.

VI. None shall be admitted to a Benefice with Cure of souls, valued at more than *£100* *annuum* in the Queen's Books, unless he be a Batchelor of Divinity, or a Preacher lawfully allowed by some Bishop, or one of the Universities.

VII. All Admissions, Institutions, Inductions to Benefices, and all Tolerations, Dispensations, Qualifications and Licences to the contrary hereof, shall be void in Law.

VIII. Provided, that no Title to confer or present to shall accrue upon any Deprivation *ipso facto*, but after six months after notice of such Deprivation given by the Ordinary to the Crown.

Spirituality.

Stat. 4 H. 4. 2, *pars inde*. The Statutes made in the 25 of
touching the Clergy of *England* shall be put in execution.

Stat. 4 H. 4. 3. All Statutes, Ordinances and Grants
by the King's Progenitors (Kings of *England*) to the Clergy
for the conservation of their Liberties and Privileges,
the Liberties and Muniments of Holy Church, (not revo-
shall be firmly observed and put in due execution.

Stanes.

Stat. 1 H. 8. 9. An Act concerning the maintaining of the
and Causey of *Stanes*, and for the gathering of the toll
and the Letters Patents made of the toll there shall be
See the Statute at large.

Staple.

Stat. 2 E. 3. 9. All Staples shall cease, and all Merchants
come in, and go out with their Merchandize at their pleasure,
to the Great Charter.

Statute of the Staples. Cap. 1. 27 E. 3. The Staple of Eng-
Wool, Leathers, Wool-fels and Lead, shall be holden for
at *Newcastle upon Tyne, York, Lincoln, Norwich, West-*
Canterbury, Chichester, Winchester, Exeter, and Bris-
Wales at Carmarthen; and for Ireland at Dublin, Water-
and Drogheda: and not elsewhere.

When the said Merchandize is to be exported, they shall be
brought to the said Staples to be weighed by the Stan-
and every Sack and Sarplet of Wool so weighed shall be
under the Seal of the Mayor of the Staple.

The Wools so weighed and sealed at *York, Lincoln, Norwich,*
Canterbury, & Winchester, and also Leather, Wool-fels
which shall be brought thither, (the Customs of the Sta-
paid) shall be witnessed by Bill under the seal of the
the Staple, and shall be from thence conveyed to the
following; viz. from *York* to *Hull*, from *Lincoln* to *Sains*
(*alias Boston*) from *Norwich* to *Great Yarmouth*, from
to *London*, from *Canterbury* to *Sandwich*, & from *Win-*
Sourhampton; and there the Wools and Lead shall be again

weighed by the Customers assigned in the same Ports. By Wools and Lead brought to *Newcastle, Chichester, Exeter, Bristol, Carmarthen, Dublin, Waterford, Cork* and *Droghda* shall be once weighed by the Standard in those several Ports in the presence of the Customers there.

V. And Indenture shall be made at the said Ports between the Mayor of the Staple and the Customers there of all Wools, Leather and Wool-fels brought thither; And they also shall be accustomed and cockered, and the Custom thereof duly paid: which shall be for Denizens half a Mark for a Sack of Wool, and a Mark for three hundred Wool-fels, and a Mark for a Last of Leather, but for Aliens, 10 s. for a Sack of Wool, 10 s. for a thousand Wool-fels, and 20 s. for a Last of Leather, and 3 d. for every Sow of Leather.

VI. The said Merchandize shall be transported beyond the said Ports by Merchant-strangers, and not by *Welsh*, or *Irish*.

VII. Neither the Mayor nor Customers shall delay any man, nor take any more than appertaineth to their Office, pain of imprisonment, and to answer the party double what is taken, together with his damages occasioned by such taking and delay; and besides they shall be ransomed at the King's will.

VIII. The Mayor of the Staple and the Customers shall take the Oath of all Merchants that so transport the said Merchandize that they shall hold no Staple thereof beyond Sea.

IX. *Cap. 4.* None going to or coming from the Staple shall be disturbed by the Purveyors of the King, or any other; but the King all prices Royal, and all Carriages and Victuals, as hath been accustomed.

X. Every Carrier returning from the Staple shall have a Bill under the Mayor's Seal, testifying that he serveth the Staple, containing his Journeys home, which Bill shall be freely given, and the Mayor shall be sworn to give no Bills to any but such as shall serve the Staple.

XI. If any thing pertaining to the Staple be so taken, that Cry shall be levied after the offender by the Town where it is taken, or by the next: and if it be within the Verge, the offender shall be punished by the King's Steward and Marshal; but if he be out of the Verge, he shall be conveyed to the Gaol, and suffer as a Felon, if the offence require it.

XII. If the Town and Towns be negligent to arrest the offender, the four Towns next adjoyning shall answer the party, and redress his damages, if they cannot reasonably excuse themselves.

XIII. If such offence be committed within the Staple, the Mayor and Ministers of the Staple shall arrest the taker, and do him right: but if the Staple be within the Verge, the taker be one of the Court, in that case the Mayor and Ministers shall call them to the said Steward and Marshal, or the Lieutenant to see right done according to the Law of the

if they come not, the said Mayor and Ministers shall
without them.

Cap. 5. None of the King's Justices shall take conuſance
of any thing that pertains to the Staple.

Cap. 6. None of the King's Officers shall meddle in the
Staple where the Staples be holden, in pain to answer the party
quadruple damages, and be grievously punished by the

Cap. 7. All Licences granted to *English, Welsh, or Irish*,
for the aboveſaid Merchandize contrary to this Statute
of the Staple shall be void.

Cap. 8. The Mayors and Constables of the Staple shall
have jurisdiction and conuſance (within the Staple) of all people
which concern the Staple; and all people coming thither
shall be ruled by the Law-Merchant, and not by the Com-
mon Law or other Customs: So that if either Plaintiff or Defen-
dant of the Staple, the Action may be tried before the said Offi-
cers, whether the Contract or Covenant were made within the
Staple or without; but trespasses there triable must be done within
the Staple. Howbeit, Pleas that concern the King's Court
shall be heard and determined by the Steward or his Lieutenant,
the Marshals, together with the said Mayor; and Pleas of Land
shall be at the Common Law.

Cap. 9. If Felonies or Mayhemes be there committed, the May-
or or other fit person, shall be assigned to hear and determine
according to the Common Law; and none shall detain such
prisoner, in pain of 100 l. And Indictments found without the
Staple of offences done within it, shall be sent to the said Mayor
and Justices to doe right therein.

Cap. 10. When an Issue is to be tried before the Mayor by an In-
quest, the parties be both Denizens, the Inquest shall be all De-
nizens; and when they are both Aliens, they shall be both Aliens:
And when the one party is a Denizen and the other an Alien, half
the Inquest shall be Denizens and the other half Aliens.

Cap. 9. The Mayor of the Staple may take a Recognizance
of the Debtor in the presence of the Constables of the Staple, or one
of them. And there shall be a Seal Ordained, to be remaining
with the Mayor, under the Seal of the Constables, with which every
Obligation upon such Recognizance shall be sealed: and for e-
very such Obligation under 100 l. they shall pay an half-peny in
the pound; but for those above, onely a farthing in the pound.
Upon such Obligation, after default of payment, the
Mayor may imprison the Debtor, and arrest his Goods, and sell
the same to satisfy the Creditor. But if the Debtor be not found
within the Staple, the Mayor shall certify the Obligation into
Chancery, from whence shall thereupon issue a Writ against
the person, Lands, Goods and Chattels, returnable into
Chancery, and thereupon due execution shall be made, as is
con-

contained in the Statute-Merchant; so that the Creditor have Free-hold in the Debtors lands, which shall be delivered to him by the same Process, and likewise recovery by *Writ of Novel disseisin*, if he be put out. But here, the Debtor shall have no advantage of the quarter of a year that is contained in the Statute-Merchant.

XXII. Cap. 15. They who have any Wools, Leather, Fells or Lead, betwixt the places where the Staples shall be and the Sea, and seem to intend to carry them to the Staple, shall make Indentures betwixt them and the Bailiffs of the Town where they shall carry them, testifying how much they have so shipped.

XXIII. The Bailiffs of such places shall take an Oath and sufficient surety of them and the Mariners, that they shall carry them to the Staple, and not elsewhere, and there shall discharge them before they enter the Sea.

XXIV. The said Bailiffs shall send one part of the Indentures to the said Mayor of the Staple (whither they intend to carry the Goods) by a Messenger (for whom they will answer) at the request of the Owners of the Goods. And all this the said Bailiffs and Merchants shall do, in pain to incur the punishment contained in the third Article of the Statute; *which see in Merchants.*

XXV. Cap. 16. In every Town where the Staple is, there shall be certain rows and places provided, where the Wools and Merchandize may be put; and houses there shall be set at reasonable rates, to be assessed by the Mayor or Constable of the Town, and four discreet men of the Town where the Staple is, who shall be sworn to make a lawfull Tax: and none shall be compelled to lodge his Merchandize in such hired house.

XXVI. Cap. 18. Merchants of *Ireland* and *Wales*, who come to sell their Wool, Wool-fels, Leather or Lead in *Ireland* and *Wales*, may bring them to the Staples of *England*, having first paid Custom of them in the places from whence they bring them, except whereof they shall not be charged with Custom in *England*. Howbeit, if they carry them elsewhere, they shall incur the penalties of the said third Article.

XXVII. The Treasurer and Barons of the Exchequer shall yearly (at *Easter* and *Michaelmas*) have an account what Merchandize is so conveyed out of *Ireland*, and of the Custom paid for the same.

XXVIII. Cap. 19. No Merchant or other shall lose his goods for the offence of his Servant, unless he did it by the common procurement of his Master: and speedy Justice shall be done to Merchants from day to day, and hour to hour.

XXIX. Cap. 20. If any wrong be offered a Merchant from out of the Staple, the Justices there shall do him right according to Law-Merchant, *viz.* speedy Justice: and if any be convicted thereof, he shall forfeit to the King as much as the Merchant's damage amount unto, and shall pay to the Merchant double damages.

Cap. 21. In every Staple-Town there shall be a Mayor and Constables established, able for the Execution of their Offices; and when they die, or are changed, others shall be chosen in their rooms by the commonalty of Merchants there. And the Mayor shall not hold over his year, unless he be chosen, (as aforesaid) and that as well by Aliens as Denizens.

XXII. The Mayor and Constables have power to keep the Peace, and to arrest offenders there for debt, trespass or contract, and to imprison and punish according to the Law of the Land, for which end a prison shall be there also ordained.

XXIII. Officers of Corporations where the Staple is, or near lying thereunto, shall (upon command) assist the Officers of the Staple in the execution of their Offices, in pain of grievous forfeiture. Also a Lord of most sufficiency in the Countrey where the Staple is, shall be assigned to be aiding to them, as occasion shall require, as well to reform offenders, as to redress mistakes by them committed. But the appeal for injustice in the Staple shall be to the Lord Chancellor or Privy-Council.

XXIII. Cap. 22. In every Staple there shall be Correctors appointed, able and sufficient men, (as well Aliens as Denizens) to mediate and bargain between buyers and sellers; and they shall give security before the Mayors and Constables, lawfully to execute their Office; and being found in default, shall answer damages to the party grieved. Howbeit, they shall not meddle with merchandize during their Office. But here, none shall be forced to be a Corrector unless he please; nor give him any thing, unless he do something at his request.

XXIV. Cap. 23. A certain number of Porters, Packers, Winnowers, Workers, and other Labourers of Wools and other Merchandizes, shall be ordained for the Staple, who together with Correctors, and all other Officers of the Staple, (except the Constables) shall be sworn before the Mayor, duly to execute their Offices: Also all Merchants (both Aliens and Denizens) coming thither to Merchandize, shall be sworn before the Mayor and Constables, to be justified by them, and to maintain the Laws and Customs of the Staple: but the Mayor and Constables shall be sworn in Chancery duly to execute their several Offices.

XXV. Cap. 24. Merchants-strangers shall chuse two Merchants-strangers, who shall be assigned (the one for the South the other for the North) to sit (when he please) with the Mayor and Constables of the Staples, to hear plaints touching Merchants Aliens: but the Mayor and Constables shall not forbear to proceed, if they come nor: Howbeit, if they come, and any debate happen between them concerning such Plaint, it shall be determined before the Chancellor, or the King's Council.

XXVI. Also six other persons shall be chosen, viz. two of the City of London, two Lombardy, and two of England, who shall be sworn

sworn duly to execute their Offices in moderating differences amongst Merchants concerning things of the Staple which any four of them may (by their Oaths) do before the Mayor and the Officers; and what they do therein shall be definitive.

XXXVII. Cap. 25. He that makes confederacy or conspiracy which may turn to the impeachment, disturbance, defeating or decay of the said Staples, or of any thing to them belonging, shall incur the penalties ordained in the said third Article.

XXXVIII. Cap. 28. The liberties of the Staple are confirmed notwithstanding any Franchises granted to Corporate Cities or Towns: howbeit, other mens liberties, being in the Staple, (as to keep Fairs, Markets, and the like,) are saved.

XXXIX. Stat. 28. E. 3. 13. The Warranty of packing Wools shall be wholly taken away, unless it be by Covenant under Seal.

XL. An Inquest for the trial of an Action in the Staple, or before other Justices, where an Alien is one of the Parties, shall *per medietatem lingua*, if many Aliens may be found; but if not by so many as are found, and the rest to be made up of Denizens being no Parties or Privies.

XLI. None shall forestall Merchandize coming towards the Realm, in pain to incur the Penalties of the said third Article of the Statute-Staple, &c.

XLII. No foreigners Ship shall be compelled to arrive in England, nor to tarry in any place there, against the good will of the Masters, Mariners, or Merchant, unto whom the Ship or Goods in her do belong, in pain to incur a grievous forfeiture to the King.

XLIII. Stat. 36. E. 3. 7. Mayors and Constables of the Staples shall have onely consuance of Debts, Covenants, Contracts, and all other Pleas touching Merchandize, and the surety thereof betwixt Merchants known; but process of Felonies and all other Pleas (as well within the Staple as without) shall be at the Common-Law, as it was before the Statute-Staple. Howbeit, Merchant-Aliens have liberty to sue for Debts, Trespass, &c. at the Mayor, or at the Common Law, at their Election.

XLIV. The King and other Lords (within their Seigniories) shall enjoy their Franchises, as they did before the Statute-Staple: onely the Mayor of the Staple shall take Recognisance as by the said Statute is ordained.

XLV. Stat. 38. E. 3. Stat. 1. 7. The Staple shall be confirmed in England: and the Statute of the Staple, together with the additions, and Modifications thereof, is confirmed.

XLVI. Stat. 12. R. 2. 16. The Staples shall be removed from Middleborough to Calais.

XLVII. Stat. 14. R. 2. 1. The Staples shall be removed from Calais to those Towns in England named in the Statute of the Staple, 27 E. 3. 1.

Steel, &c.

VIII. Every Merchant-Alien shall bestow the value of half the Merchandize upon Commodities of this Realm.

IX. Stat. 14 R. 2. 3. Officers of the Staple shall be fifth part to the King, and then to the Staple.

X. Stat. 14 R. 2. 4. No Denizen shall transport any Wools, Wool-fells, Leather, or Lead beyond sea, in pain to forfeit the law.

XI. Stat. 15 R. 2. 9. The Statute of the Staple is confirmed.

XII. The Mayor of the Staple shall take no Recognisance of the contrary to the Statute in pain to pay half the sum Recognized to the King.

XIII. Stat. 10 H. 6. 1. Recognisances taken before the Mayor of the Staple at *Calais* shall be effectual in *England*.

Steel.

I. Stat. 2. E. 3. 17. None shall forge or sell any Gads of Iron like in fashion to Gads of Steel, in pain to forfeit 4 *d.* a Gad, to be divided betwixt the King and the Prosecutor.

Still-yard.

I. Stat. 19 H. 7. 23. All Acts, Statutes, and Ordinances made in derogation of the Merchants of the *Still-yard*, (called Merchants of the House in *Almain*, and having the house in *London* called *Guildhalda Teutonicorum*,) or of their Liberties granted them by the King's of *England*, shall stand (as against them) void and repealed. Howbeit, this Act shall not be prejudicial to the City of *London*.

Surveyor.

I. Extent a Manerii, 4 E. 1. Containing certain Articles to be required by Surveyors concerning Building, Demesns, Foreign Parks, Demesne woods, Foreign woods, Herbage and Pastures, Mills, Fishing, Freeholders, Customary Tenants, Cottages and Curtilages, Perquisites of Courts, Patronages, Liberties, Customs, Services, &c. See the Statute at large.

Suit.

Suit.

I. *Marlb. 9. 32 H. 3.* None enfeofsed by Deed shall be distrained to doe suit to his Lord's Court, unless he be bound to doe by the form of his Deed, or he or his Ancestors have used to doe before the King's first Voyage into *Britany*, being about thynine years and an half since.

II. None enfeofsed from the time of the Conquest shall do unless his Ancestors have done it before the said Voyage.

III. Such as be at a Suit-fine shall be free from Suit, paying their Fine.

IV. The Parcener having the eldest part shall do Suit for his or her fellows, and the rest shall be contributory.

V. Also one Joynt-tenant or Tenant in common shall do the Suit, and (if there be no mean to acquit him) the rest shall contribute.

VI. If a Lord distrain for suit not due, the parties (upon complaint) shall have an attachment against the Lord to appear in the King's Court at a short day, when one onely Essoin shall be allowed; and the distress shall be delivered to the Plaintiff, and there remain untill the Plea determined.

VII. If the Lord appear not at the day, the Sheriff shall have command to distrain him by his Goods, and to have his Body before the Justices at another day; when if he appear not, the Plaintiff shall go without day, and the distress shall remain with him untill the Lord have recovered: and in the mean time no more Distresses shall be made: saving to Lords their right to recover their Suits, when they will sue for them. But here, if the Lord be convict, he shall allow the Plaintiff damages.

VIII. Like Justice shall be done to Lords against Tenants who withdraw their Suits, as to limiting of days, and awarding Distresses, and damages also, if they recover: but Lords shall not recover seisin of such Suits against their Tenants by default as they were wont to doe. And as concerning Suits withdrawn before the time above mentioned, let the Common Law run as it was wont to do.

Swans.

I. *Stat. 22 E. 4. 6.* None (but the King's son) shall have a mask or game of swans of his own, or to his use, except he have Lands and Tenements of Freehold worth five marks *per annum*. Besides Reprises; in pain to have them seised by any having half of that value, to be divided betwixt the King and the Seisor.

¶ Swearing

Swearing and Cursing.

I. Stat. 21 Jac. 20. If any shall swear or curse within hearing of a Justice of Peace, or shall be convicted thereof upon his own confession, or the evidence of two Witnesses upon oath before the same Justice, he shall forfeit 12 *d.* to the use of the Poor where the offence shall be committed, to be levied by the Constable, Church-wardens and Overseers of the Poor there, upon Warrant from such Justice) by distress and sale of Goods: and in default of distress, if the offender be above twelve years old, he shall (upon Warrant as aforesaid) be set in the stocks three hours; but if under, then shall he be whipped by the Constable, or by the Parent or Master in the Constables presence.

II. Here, if the Officer be sued for the due execution of his office, he may plead the general issue, and yet give special matter in evidence.

III. This offence shall be complained of and proved as aforesaid, within twenty days after it is committed: And this Act shall be read in the Church twice in the year, upon *Sunday* after Evening Prayer.

Tail.

Stat. 2. E. 1. **W**Here Lands are given to a man and the Heirs of his Body, or to Husband and Wife, and the Heirs of their two Bodies, upon condition, that if such a man, or such a Husband and Wife, die without issue, that then the land shall revert to the Donor; or where land is given in Frank-marriage, and such a condition is conceived to be annexed or implied; in all such cases heretofore the Feoffees (after issue had) had power to alien, and to disinherit the issue, contrary to the mind of the Donors: Wherefore now it is ordained, that the Will of the Donor given (according to the form in the Deed of Gift manifestly expressed) shall be from henceforth observed, so that they to whom land was given under such condition shall have no power to alien the land so given, but it shall remain to their issue after their death, or shall revert to the giver or his Heirs, if issue fail: neither shall the second Husband of any such Woman from henceforth have any thing of the land so given upon condition (after the death of his Wife) by the Law of *England*, nor the issue of such Husband and Wife shall succeed in the inheritance; but immediately after the death of the Husband and Wife, unto whom the land was given, it shall return unto the issue of the giver or his Heirs as aforesaid.

II. Here-

II. Hereupon a new Writ of *Formedon in descender* is granted in this form: *Præcipe A. quod iuste, &c. reddat. E. Monasterio de F. cum suis pertinentiis, quod C. dedit tali viro, & tali mulieri, & heredibus de ipsis viro & muliere exeuntibus; or thus, Quod C. dedit tali viro in liberum maritragium cum tali muliere, & quod post mortem predictorum viri & mulieris predicto B. filio eorum viri & mulieris descendere debeat per formam donationis predictæ, ut dicit, &c. vel, quod C. dedit tali & heredibus de eorum suo exeuntibus, & quod post mortem illius talis predicto B. filio predicti talis descendere debeat per formam, &c.*

III. This Act shall extend to gifts hereafter to be made, and not to gifts heretofore made, and a Fine hereafter to be levied upon such lands shall be void in Law: Neither shall the Heir or Reversioner (albeit they be of full age, in England, or out of prison) need to make their claim. *But this Law, concerning a Fine, is in some sort altered by. 32 H. 8. 36. which see in Fines.*

Taxes, Tenths, Fifteens, Benevolences, Ship-money.

I. Stat. 25 E. 1. Certain Taxes then before taken shall not be taken in custom, but by the common assent of the Realm, except ancient Aids and Taxes.

II. Stat. *De Tallagio non concedendo, cap. 1. temp. E. 1.* No Tallage or Aid by us or our Heirs shall be levied without the will and assent of the Archbishops, Bishops, Earls, Barons, Knights, Burgeſſes, and other free Commons of our Realm.

III. Stat. 1 E. 3. Stat. 2. cap. 6. Whereas after Taxes were levied, and paid into the Exchequer, Commissions of review were sent out, by colour whereof the Justices thereto assigned took Fines of the Taxers and others; it is ordained, That from henceforward the people shall be taxed after the old manner, and not otherwise.

IV. Stat. 11 R. 2. 9. No imposition or charge shall be put upon Wool, Leather or Wool-fels, other than the Custom and Subsidy granted to the King in this present Parliament: and if any be, the same shall be annulled: saving always unto the King his ancient right.

V. Stat. 9. H. 4. 7. Goods shall be chargeable towards the payment of Tenths or Fifteens in the place where they were at the time the same were granted; howbeit, none shall be twice charged for his Goods.

VI. Stat. 1 R. 3. 2. The Subjects of this Realm shall not hereafter be charged by any charge called a Benevolence, or any such like Exaction or Imposition whatsoever; and such Impositions heretofore charged upon the Subject shall not be hereafter put into precedent or example.

Stat. 19 H. 7. 8. No Mayor, Sheriff, Bailiff, or other shall distrain, take or levy any Custom called *Scavage*, of any Denizen, for any Merchandize before truly sold, nor for the payment thereof let or disturb any Merchant (being Denizens) to sell or utter the same Merchandize, of 20 *l.* to be divided betwixt the King and the party, or the Prosecutor, which of them will sue first for it.

III. Howbeit, the Mayor and Commonalty of *London* may take so much money (of Denizens) for *Scavage* as shall be found to be their right by the King and his Council.

Stat. 16 & 17 Car. 14. An Act for declaring unlawfull and void the late proceedings touching Ship-Money, and for vacating of all Records and Prosess concerning the same.

Stat. 13 Car. 2. Cap. 4. An Act for a free and voluntary grant to his Majesty, *Exp.* but declared thereby, that no Commissions or aids of this nature can be issued or levied but by authority of Parliament: and that the supply hereby granted shall not be drawn into example.

Stat. 22 & 23 Car. 2. Cap. 9. From the first of *May* 1671. there shall be paid to the King for nine years the duties and taxes of money following; *viz.*

For every grant of Franchises or Liberties, &c. under the Great Seal or Seal of the County Palatine of *Lancaster*, not exceeding one Skin of Parchment, 40 *s.* and 20 *s.* for every skin over.

For every grant of Lands under the Great Seal, Seal of the Duchy, or Seal of the Dutchy or County Palatine of *Lancaster*, not exceeding one Skin 20 *s.* and 10 *s.* for every Skin over.

For every grant of money, and every pardon of any Crime or forfeiture or of any sum of money, under the Great or Privy Seal, not exceeding one Skin 40 *s.* and for every Skin over 20 *s.*

For every Presentation, Donation or Collation to any Spiritual Promotion of 20 *l.* value in the King's Books, 40 *s.* if such Spiritual Promotion be but of 10 *l.* value, then 10 *s.* Vicarages under the improved value of 100 *l.* per annum excepted.

For every Deed enrolled in any of the Courts at *Westminster* or the Court of Record, or by any *Custos Rotulorum* or Clerk of the Peace, 5 *s.*

For every Writ of Covenant for levying Fines in the Alienation Office, at or above 6 *s.* 8 *d.* and under 20 *s.* 3 *s.* 4 *d.* at or above 6 *s.* and 8 *d.* besides the pre-fine and post-fine.

For every Writ of entry for suing common recoveries in the Alienation-Office, 6 *s.* and 8 *d.*

For every Original not already charged, *subpoena*, Bill of Middlesex, *Latitat*, *capias*, *quo minus*, *dedimus potestatem*, and every other Writ, Process or Mandate under the Seal of any Court holden, of 40 *s.* or above, 6 *d.*

For renewing such Process, 4 *d.*

For the entry of every Action in any Court, out of which Writs, Process or Mandate issues holding plea of 40 s. 6 d.

For every Exemplification under the Seal of any Court not exceeding one skin of Parchment, 7 s. and 6 d. and 3 s. for every skin over.

For every Bill, Answer, Plea, Demurrer and other pleading in the Chancery, Exchequer and Dutchy-Chamber of *Lancaster*, For copies of such Pleadings, and of interrogatories and Depositions in the said Courts, a peny for every sheet. For such Copies in other Courts of Equity holding plea of 40 s. a peny for every sheet.

For every Order entred and report filed in the Chancery, Exchequer and Dutchy-chamber of *Lancaster*, 6 d. for every Copy.

For Copies of Proceedings in any of the Courts at *Westminster*, for which there is now payable 8 d. per sheet or 4 d. per sheet, there shall be paid for every sheet, 1 d. and for Copies of Proceedings in other Courts holding plea of 40 s. or above, 1 d. per sheet.

For every Affidavit, where any fee is due for the same, 6 d.

For the Copy of every Affidavit filed or read in any Court,

For every special Bail taken, or common Bail filed, and for every appearance entred, 6 d.

For every rule or Order in the Courts at *Westminster*, except the *English* side of the Chancery, Exchequer, Court of the Dutchy or County Palatine of *Lancaster*, and Rules for answer, 2 d. and for Copies of such Rules or Orders, 2 d.

For every Judgment signed in any of the Courts at *Westminster*,

For every Decree and dismissal in Chancery, in the Exchequer Court of the Dutchy of *Lancaster*, Courts of the Counties Palatine of *Chester* and *Durham*. 5 s.

For every Record of *Nisi prius*, 2 s. 6 d.

For Copies of Records taken out of any the Courts at *Westminster* or Offices belonging to the same, and Copies of Proceedings upon Writs of Error in the Exchequer-Chamber, not herein before charged, 1 d. per sheet.

For every *Postea* return'd, 1 s.

For every Recognisance, Statute of the Staple or Statute Merchant, entred of Record, 2 s. 6 d.

For every Writ of Error 6 d. besides what is before Charged.

For every Order and Rule thereupon, 1 s.

For every Citation or Monition out of any Ecclesiastical Court, 4 d.

For every Libel or Allegation, 1 s.

For every Deposition, 4 d.

For every Answer, Sentence or final Decree, 6 d.

For every Commission out of any Ecclesiastical Court, *stantiam partis*, 2 s.

For every Inventory exhibited in any Ecclesiastical Court, shall amount to 40 s. and not to one hundred pounds, 1 s. for every one amounting to 100 l. and under 500 l. 6 s. for every one amounting to 500 l. and under 1000 l. 12 s. for every one amounting to 1000 l. 1 l. 2 s.

For every Institution under the seal of any Ordinary or any Ecclesiastical Court, 5 s.

For every Licence under seal of any Ecclesiastical Court, except, bearing Flesh in *Lent*, 1 s.

For the Copy of every Will, 1 d. per sheet: of every Inventory 4 per press.

For every Appeal to the Delegates, 10 s. for every other Appeal, 3 s. 4 d.

For every *Significavit pro corporis deliberatione*, 5 s.

For every Dispensation to hold two Ecclesiastical Dignities, or Benefice and a Dignity, 15 s.

For every other Dispensation passed by the Archbishop of Canterbury, or the Master of the Faculties, 10 s.

For every Warrant, Monition and personal Decree, and for every Libel, Allegation and Deposition, and every personal Answer, out of or in any Court of Admiralty, Cinque-Ports, &c. 1 s.

For every Commission under seal of any of the said Courts, 5 s.

For every Sentence there, 5 s. for every Attachment out of the Courts, 3 s. 4 d. and for every Relaxation of such Attachment, 4 d.

III. Attornies, Solicitors and other persons charged with any of the said Duties, and not duly paying the same, shall for the first default forfeit ten times the value thereof, and for the second, lose their Employment, and be incapable of holding the same or the like employment.

XIII. The Judges of the several Courts respectively, shall give Directions for collecting the said Duties, as they think fit.

XIV. None of the said Duties to be paid upon any Information, Plea or other proceeding at the King's suit, for any Criminal matter, nor by any admitted to sue or defend *informa pauperis*.

XV. Stat. 29 & 30 Car. 2. Cap. 1. An Act for raising money by a Poll and otherwise, to enable his Majesty to enter into Actual War against the French King.

XVI. After the 20th. of March 1677. no French Wine, Vinegar, Brandy, Linen-Cloth, Silks, Salt, Paper, or any manufactures made of or mixed with Silk, Thread, Wool, Hair, Gold, or Silver, or Leather being of the product or manufacture of any the Dominions of the French King, shall, during the term of three years, before the end of the first Session of Parliament next after the expiration of the said three years, be imported into England, Wales, or Town of Berwick, or Isles of Jersey, Guernsey, Alderney, or Isle of Man, mixt or unmixt with any Commodity of the product of any other Countrey. Such importation and vending the

the said Commodities imported contrary to this Act be declared a common nuisance: and such Goods so imported may be seized, and the Vessels in which they be or were may be stayed by any persons whatsoever, till search can be made, and the Goods carried into his Majesty's Ware-house, and Information thereof shall the next term or sooner be exhibited at the King's Bench or Exchequer: and no Writ of delivery or restitution granted till the cause be finally determined, and the price or value of the Goods adjudged by verdict of a Jury, upon the view of the said Commodities, or proof before them, and in case the said Jury return their verdict, that the said Commodities or any of them were of the product or manufacture of the French King, Judgment shall be passed, that all such Wines and Brandies shall be staved and split: and the other Commodities publickly burnt and destroyed, and the Importers shall forfeit the value of such Goods: and they in whose custody the same shall be found at the time of such seizure or stay, or shall sell them contrary to this Act, shall for the first offence forfeit the value thereof; and for the second offence shall forfeit the value, and be incapable to exercise any Trade or execute any Employment in any part of the King's Revenue: one moiety of which forfeiture shall be to the Poor of the Parish where the said Goods shall be landed or seized, the other to the Informer.

XVII. If any of the Commodities aforesaid shall be brought into any Ports, Havens or Creeks of England, Wales, Town of *Wick*, or of the Islands aforesaid, as reprisal or rescue, the same shall not be landed, or sold, under the penalties and forfeitures aforesaid, to be recovered and disposed of as aforesaid: but being adjudged good prize, shall be exported again in the same Vessel, and if any of the Commodities aforesaid, whensoever imported shall during the said term of three years, and after the first of *May* 1679. be found vended, they may be seized by any persons whatsoever: and the like Information, Judgment and Execution shall be had, as if they had been imported contrary to this Act, and they, in whose custody they shall be found, or that shall sell the same after the said first of *May*, shall incur the forfeiture and penalties aforesaid, to be recovered and disposed as aforesaid: and proof shall be incumbent upon the Importer, Claimer, or Seller, &c. and not upon the Informer.

XVIII. If any Informer shall by fraud or collusion delay the prosecution of the condemnation of the said Commodities after seizure or stay thereof, he shall forfeit 500 *l.* to be recovered as aforesaid: one moiety to the Poor of the Parish where such Informer shall dwell, the other to him that shall inform against him. All Officers of the Customs, Sheriffs, Mayors, Bailiffs, Constables and other Officers are enjoined to be aiding & assisting in the due execution of this Act: and no Officers relating to the Customs, shall sign or allow any order for delivery of the said Goods to any person

other than one of his Majesties Ware-houses, nor shall any Officer of the Land-waiters or other Officer whatsoever receive the Customs, take up or deliver the said Goods or suffer them to be carried to any other place: and such Goods when any of his Majesties Ware-houses, with the time they were brought in and delivered out, shall by direction of the Officers of the Customs be registred in a Book, to be produced at any Trial concerning the same: nor shall such Goods be delivered out of the said Ware-houses till Judgment given touching the same.

Persons not being Shop-keepers, that shall after the said 1st of May 1679. sell or expose any of the said Commodities, over and above the penalties aforesaid, be imprisoned for six months.

Stat. 31 Car. 2. Cap. 1. An Act for granting a supply to his Majesty of Two hundred and six thousand four hundred and two pounds seventeen shillings, and three pence, for paying and disbanding the Forces raised since the 29th of September 1678. to be paid for six months, the first of the said months beginning from the 24th of February 1679. and assessed, levied and paid in two quarterly payments. *See the Statute at large.*

Templers.

Stat. De terris Templariorum, 17 E. 2. Neither the King nor Lords shall have by escheat the lands that were the property of the Templars (which Order was then dissolved) but those lands shall remain to the Prior and Brethren of the Order of the Hospital of St. John of Jerusalem, which Order was then erected.

Tenure.

Magna Charta 10. None shall distrain for more service than is due.

Magna Charta 31. If a Barony escheat to the King, the tenant, that hold of the same (not having other lands that hold of the King in chief,) shall pay like relief, and do like services to the King after such escheat, as they paid or did to their former Lord, and not otherwise.

Magna Charta 32. No Freeman shall give or sell so much of his land, that of the residue the Lord of the Fee may not have the services due to him.

Quia Emptores terrarum, 18 E. 1. In all Feoffments to any Person and his Heirs, the Feoffee shall hold his land of the Feoffor in chief.

chief Lord of the Fee by the same services, that the Feoffment be before.

V. Here, if the Feoffment be made of parcel, he shall hold the chief Lord *pro partícula*, according to the quantity of land, and the Feoffor shall be set free for that part.

VI. Howbeit, by such sales or purchases of lands, or any parcels thereof, such lands shall not come into Mortmain, contrary to the Statute thereof lately made: Neither shall this Act be understood of any other than lands in Fee-simple.

VII. Stat. 1 E. 3. Stat. 2. 12. From henceforth lands holden of the King in chief, and aliened without licence, shall not be forfeited, but a reasonable fine shall be taken (of such lands aliened) in Chancery by due process.

VIII. Stat. 1 E. 3. Stat. 2. 15. Lands holden of the King, as some Honour, shall not be taken into the King's hands, as if they were holden of the King in chief, as of his Crown.

IX. Stat. 34 E. 3. 15. All Alienations which the Tenants of the King, and of other Kings before his time did make are confirmed.

X. Stat. 7 E. 4. 5. Lands holden of a common person by Fealty, Rent, or other Service, coming to the King's hands by Attainder of Treason, and being afterwards granted by the King to another, shall be holden as if such Attainder had not been.

XI. Stat. 12 Car. 2. Cap. 24. All tenures by Knight-service in *capite*, and socage in *capite*, and the fruits and consequences thereof shall be taken away: and all tenures turned into free socage; and all conveyances and devises since the 24th of February 1645. shall be of such effect, as if the Lands and Hereditaments had then been holden in free socage only: and all tenures to be created by the King shall be in free socage only and not in *capite*.

XII. Saving Rents certain, Heriots or suits of Court, and other services incident to common socage, and such releif in respect of such Rents as is paid in case of a death of a Tenant in common socage, and fines for alienations due by particular Customs, other than lands holden immediately of the King in *capite*; and saving tenures in Frank-almoign: which also shall not be subject to other services than now they are, nor tenures by Copy altered, nor services of Grand-serjeanty (other than Wardship, Marriage, Cuage, Voyages Royal and other charges incident to Knight-service, and *aide pur faire fits chevalier & file marrier*) taken away.

XIII. A Father, under age or of full age of a Child under twenty and not married at the time of his death, who then born or in *ventre sa mere*, may by Deed in his lifetime or Will in the presence of two Witnesses dispose the custody of such Child during non-age, to any, in possession or remainder, other than Popish Recusants; which persons may maintain an Action of Ravishment of ward or trespass against wrongfull taken

of such Child, and recover damage for the Child's use,
take into their custody for the use of such Child, the
of his Lands and Hereditaments and custody of his perso-
nalty, according to such disposition, and bring Actions in
thereunto as a Guardian in common socage might do.

IV. This Act shall not prejudice the Custom of *London*, nor
any other City or Town Corporate or of the Town of *Berwick*
concerning Orphans, nor discharge any Apprentice from his ap-
prenticeship, nor infringe any Title of Honour, fardal or other
which any have or may have right to sit in the Lord's House
Parliament, as to their Title and sitting in Parliament, and Pri-
vilege belonging to them as Peers. *Confirmed 13 Car. 2.*

Of Tiles.

I. Stat. 17 E. 4. 4. Tile-earth shall be cast up before the first
of *November*, shired and turned before the first of *February*, and
made into Tile before the first of *March*; and shall likewise
be cleared and severed from Stones, Malns, Marle, and Chalk.

II. A plain Tile shall contain in length ten inches and an half,
breadth six inches and a quarter, and in thickness half an inch
and a quarter, at least: A Roof or Cross-Tile in length thirteen
inches, and in thickness as before, with convenient deepness
accordingly; a Gutter and a Corner-Tile in length ten inches
and an half, with a convenient thickness, breadth and deep-

III. If any shall sell Tile otherwise made, he shall forfeit to
the buyer the double value thereof, to be recovered by Action
at Law; and besides, shall make fine and ransom at the King's
pleasure.

IV. Justices of Peace shall hear and determine these defaults
and offences, as well at the suit of the King, as of the party grie-
ved, and shall not set less fine upon an offender against this Act,
than after the rate of 5 s. for every thousand of plain Tile, 6 s.
for every hundred of Roof-Tile, and 2 s. for every hundred
of Corner or Gutter-Tile.

V. The said Justices have also authority to appoint search-
ers of Tile, who shall diligently execute that Office, in pain to
the King for every default 10 s. And they shall have
every Tile-maker for such search after the rate of 1 d. for e-
very thousand of plain Tile, 6 d. for every hundred of Roof-
Tile, and 2 d. for every hundred of Corner and Gutter-tile; and
shall make presentment of all defaults found at the next Sessi-
ons, which shall be as effectual in Law as a presentment of twelve

VI. None shall put any Tile to sale before such search made, in pain to forfeit the same. And the Justices of Peace have also power to hear and determine in the defaults of the searchers.

Timber.

I. Stat. 20 Car. 2. Cap. 3. An Act for the increase and preservation of Timber within the Forest of Dean. See the Statute at large.

Tindale, Ridesdale, and Framshire.

I. Stat. 2 H. 5. 5. If any person of Tindale or Examshire commit any murder, treason, man-slaughter, or robbery, without consent thereunto, out of the said Franchises, Process shall be made against him untill he be outlawed; and after Outlawry returned, the Justices before whom it is so returned shall send a Certificate thereof to the Ministers of the said Franchises, who shall take such Felons, and seize their Lands and Tenements into the hands of the Lords of the same Franchises, as is forfeit; but their Lands and Tenements out of those Franchises shall be seized to the use of the King and other Lords (having Franchise there) as forfeit: saving to the King the forfeitures of such Offenders who to him belong in right of the Crown.

II. Stat. 9 H. 5. 7. The Statute of 2 H. 5. 5. made against Offenders in Tindale and Examshire shall be extended against like Offenders in Ridesdale.

III. Stat. 11 H. 7. 9. The North and South-Tindale, and all the lands within the same, shall be guildable, and part of the County of Northumberland, and no Franchise shall be there; but all the King's Writs and Officers shall be there as elsewhere.

IV. None shall demise any lands for years, life, or otherwise, but the Lessor shall before find two sureties, having at least 40 s. *per annum* within the County of Northumberland, to be bound by Recognisance in 20 l. to the King, to make good within eight days warning for all such offences as aforesaid. If the Lessor shall forfeit 40 s. for every Acre otherwise let, to the King and Justices, and such Lease shall be void. The Justices of Peace also shall inquire of such Recognisances forfeited. See the Statute at large.

Tithes.

I. Stat. *pro Clero*, 7. 18. E. 3. No *Scire facias* shall be awarded to warn a Clerk to answer for his Tithes before any Judge; saving to him his right.

II. Stat. 1 R. 2. 14. Where, in an Action of goods carried away, the Defendant maketh his title for Tithes, due to his Church, in such case the Plaintiffs general averment shall be taken, without shewing specially how the same were his lay-chattel.

III. Stat. 5 H. 4. 11. The Farmers of Aliens shall pay Tithes to Parsons and Vicars of the Parishes where the lands in Farm are, notwithstanding they be seized into the King's hands, or prohibition made to the contrary.

IV. Stat. 27 H. 8. 20. If the Judge of an Ecclesiastical Court make complaint to two Justices of Peace (1 Qu.) of any felony or misdemeanor committed by a Defendant in any matter depending for Tithes, the said Justices shall commit the Defendant to prison, there to remain, till he shall find sufficient surety to be bound (before them) by Recognizance, or otherwise, to give due obedience to the Process, Proceedings, Writs and Sentences of the said Court.

V. This Act shall not extend to any Citizen of London; neither shall it restrain any person from having their defence and recovers according to the Ecclesiastical Laws, and the Laws and the Customs of this Kingdom.

VI. This Act shall not have longer force than till the King and thirty two persons as he shall appoint shall have established the Ecclesiastical Laws for the Church of England, after which the Tithes shall be paid according to those Laws, and not otherwise.

VII. Stat. 28 H. 8. 11. The year in which the first-fruits shall be paid to the King shall begin immediately after the absence or vacation of the Benefice; and the Tithes and other dues of any such Benefice arising during the time of the Vacation shall belong to the Presentee, or his Executors, towards payment of the First-fruits, which if any Archbishop, Bishop, or other, hinder him to have, he shall forfeit the treble value thereof to be divided betwixt the King and such incumbent. And such Archbishop, Bishop, Ordinary, or other Officer shall be allowed the charge of the Cure, and of inping Tithes, and the profits.

VIII. Here also, the Incumbent before his death may make and declare his will of the grain sown by him upon the Glebe-

IX. But the Successor (upon a months warning) shall have the Parsonage-house, and the Glebe not sown.

X. If the Fruits of such Spiritual Promotion received be not sufficient to pay the Curate, the next Incumbent shall do it, within fourteen days after his Induction.

XI. Stat. 32 H. 8. 7. All persons shall duly set out and pay all Tithes and Offerings according to the Custom of places where they grow due.

XII. If Tithes or Offerings be not so set out and paid, the party grieved may convent him that so detains them before the Ecclesiastical Judge, who hath power to hear and determine the matter in question ordinarily or summarily, according to the Ecclesiastical Laws, and give sentence thereupon accordingly.

XIII. Here, if any of the parties appeal, the Judge, upon appeal, shall adudge to the other party reasonable costs, and compel the Appellant to satisfy them by Process and Censures Ecclesiastical, taking surety of the other party, to whom the costs shall be adjudged, to restore the costs in case the principal cause shall be against him.

XIV. If any person, after such sentence given, refuse to pay the Tithes, or sums of money so adjudged, then two Justices of Peace (1 Qu.) shall (upon Certificate thereof from the Judge) commit the party so refusing to the next Gaol, there to remain untill he have found sureties to be bound by Recognizance (or otherwise before the same Judge) to the King to perform the sentence.

XV. Howbeit, none shall be thereby compelled to pay Tithes for Lands or other Hereditaments which by the Laws and Statutes of this Realm are discharged, and not chargeable with the payment of Tithes: neither shall it extend to the City of London or the Suburbs thereof.

XVI. In all cases where any person who hath any Estate or inheritance, free-hold, term, right or interest, in any Parsonage, Vicarage, or other Ecclesiastical profit, which now be or hereafter shall be made temporal, and admitted to be and shall be in temporal hands, and to lay-uses, by the Laws and Statutes of this Realm, shall happen to be hereafter outed, or otherwise wronged, from or concerning the same, he or she shall have remedy for the same (in the King's temporal Courts, or other temporal Court, as the case shall require) by Writs of *Præcipe reddat*, *Assize of Novel disseisin*, *Mortdancestor*, *Quod si deforcest*, Writs of Dower, and other Original Writs, as the case shall require, in like manner as for Lands, Tenements, and other Hereditaments in such manner to be demanded.

XVII. Also Writs of Covenant, and other Writs for Forfeitures to be levied, and other Assurances to be had and made of Parsonages, Vicarages, and other profits called Spiritual, shall be

and granted in Chancery, as have been used for Fines and
sales of other lands. Likewise all Judgments given, and
levied, for and of such Parsonages, &c. shall be of like
force as Judgments given and Fines levied of other Lands.

VIII. Howbeit, a remedy for Tithes or Offerings shall be
in the Ecclesiastical Court, (and not in Temporal Courts) as
by this Act is provided.

IX. Stat. 37 H. 8. 12. A confirmation of a Decree made
Thomas Archbishop of Canterbury, and others there named,
the payment of Tithes in London. See the Statute and Decree

X. Stat. 2 & 3 E. 6. 13. The Statutes of 27 H. 8. 20.
27 H. 8. 7. are confirmed: And every person shall without
delay and pay all predial Tithes, as hath been used within
any years before the making of this Act, or of right or custom
brought to have been paid.

XI. None shall take or carry away any Tithes (paid, or
brought to have been paid, as aforesaid) before he hath justly
paid and set forth for the use thereof the tenth part of the
same, or otherwise agreed for the same Tithes with the Parson,
or other owner, proprietor, or farmer thereof, in pain to
pay the treble value of the Tithes so taken or carried a-

XII. At Tithing time it shall be lawfull for the Owner, (clai-
ming such predial Tithes) his Deputy or servant to see his Tithes
truly set out and severed from the nine parts, and the
owner quietly to take and carry away.

XIII. If any person carry away his Corn, Hay, or other predial
Tithes, before they be set out, or willingly withdraw his Tithes,
the same, or of other things whereof predial Tithes ought to
be paid, or to let such owner to view, take and carry away his
Tithes, as aforesaid, by reason whereof they are lost, impaired
or hurt; then, upon due proof thereof before a Spiritual Judge,
the party so carrying away, withdrawing, letting or stopping,
shall pay the double value of the Tithes so taken, lost, with-
drawn or carried away, besides costs of suit, to be recovered
of such Ecclesiastical Judge according to the Ecclesiastical

XIV. Tithe of Cattell feeding in a Waste or Common, where
the Parish is not known, shall be paid by the owner of such
Cattell in the place where he dwells.

XV. None shall be compelled to pay Tithes for Lands or o-
ther Hereditaments, which by the Law and Statutes of the Realm,
or by any privilege or prescription, are not chargeable there-
on, or are discharged by any opposition real.

XVI. Barren, heath and waste grounds, (others than such as
are discharged from Tithe by Parliament,) which have hereto-
fore paid no Tithes by reason of barrenness thereof, but be

now improved and converted to arable ground or the like, at the end of seven years next after such improvement pay Tithes. Or if they yielded some small Tithes before the improvement they shall onely pay that same small Tithes during the first five years, but afterwards shall pay the full Tithes according to such improvement.

XXVII. Every person exercising Merchandize, buying or selling, or any other art or faculty, (being such persons and such places as heretofore within forty years have used to pay personal Tithes, or of right ought to have paid them, and Day-labourers,) shall yearly, at or before *Easter*, pay for his personal Tithes the tenth part of his clear gains, reasonable charges and expences being deducted.

XXVIII. Handy-craft men, having used to pay Tithes within forty years, shall still pay them.

XXIX. The Ordinary hath power to examine him that refuseth to pay his personal Tithes by any lawfull means, (other wise than by his own Oath,) concerning the payment of his Tithes.

XXX. Offerings shall be paid (in the place where the parson dwells) at such four offering-days as heretofore within the space of four years last past have been used for the payment thereof, but in default thereof, at *Easter*.

XXXI. Parishes that stand upon or towards the Sea-coast, the Commodities whereof consist much in Fishing, shall pay their Tithes as they have done within forty years, and their Offerings as aforesaid.

XXXII. This Act shall not extend to *London* or *Cambridge*, their Suburbs, nor to any other Town or place where the inhabitants have used to pay Tithes by houses.

XXXIII. Suits for subtracting or withdrawing of Tithes, or other profits Spiritual, shall be prosecuted in the Ecclesiastical Court before the Ecclesiastical Judge, who hath power (no Original or Prohibition hanging) to excommunicate the party disobeying the Sentence, and if he stand excommunicated ten days, to censure the Excommunication (after publication thereof at the place or Parish where such party dwells) into the Church, and thereupon to require Process *De excommunicato capiendo* to be awarded against the person so excommunicate.

XXXIV. Before a Prohibition shall be granted, the party Plaintiff therein shall bring a true copy of the Libel exhibited in the Ecclesiastical Court concerning that Suit, subscribed with the name of the same party, and thereunder shall be written the Suggestion whereupon the party demanded such Prohibition; and the Libel thus ordered shall be delivered to the Justices of the Court where the Prohibition is so demanded: and if such Suggestion be proved to that Court by two sufficient Witnesses within six months next after such Prohibition granted, the other party shall be required

have Consultation, and double costs and damages awarded by the said Court, and may recover such costs and damages by Action of Debt.

XXV. This Act shall not give power to any Ecclesiastical Judge to hold plea of any matter against the meaning of the Statute of *Westm. 2. cap. 5. Articuli cleri, Circumspecte agatis, Cadua*, the Treatise *De regia prohibitionibus*, nor of 1 E. 3. nor any of them, nor where the King's Court ought of right to have Jurisdiction.

XXVI. No Tithes of Marriage-goods shall be paid in *Wales*, or the Marches thereof.

Tobacco.

Stat. 12 Car. 2. Cap. 34. None shall set or improve Tobacco in *England, Wales, Gernsey, Jersey, Town of Berwick or Ireland*, on pain to forfeit it or the value, or 40 s. for every Rod of ground so planted, and so proportionably: one half to the Informer, the other to the informer.

II. Sheriffs, Justices of the Peace, Mayors, Bailiffs, Constables within ten days after information of Tobacco set or growing contrary to this Act, shall cause it to be destroyed.

III. They that oppose the execution of this Act shall forfeit to be divided as aforesaid. In case of non-payment of money due by this Act, a Distress shall be taken and sold; and the person thereof the party shall be committed two months.

IV. This Act shall not hinder planting Tobacco in Physick-gardens of either University, or other private Garden for Physick or Chirurgery, so as the same exceed not one half Pole in length of Garden. Confirmed 13 Car. 2. Cap. 14.

Stat. 15 Car. 2. c. 7. They that set, plant or sow Tobacco in *England, Wales, Gernsey, Jersey, or Town of Berwick*, shall forfeit the penalty of 12 Car. 2. Cap. 34. forfeit 10 l. for every Rod of ground so planted, and so proportionably: one third to the King, another to the Poor of the Parish, the other to the informer.

VI. Persons resisting the execution of the Act of 12 Car. 2. Cap. 34. shall besides the penalty therein mentioned be committed to Gaol till they enter into recognisance with surerties of 10 l. to do the like again.

VII. The like proviso for Physick-gardens and Gardens for Chirurgery, as in 12 Car. 2. Cap. 34.

VIII. Stat. 22 & 23 Car. 2. Cap. 26. Justices of Peace shall a month before every Quarter-Sessions issue Warrants to High-Constables, Petty-Constables, and Tithing-men to make search for Tobacco is then sown, planted or made within their several limits,

limits, and by whom, and to make presentment thereof in writing upon Oath at the next Quarter-Sessions: which presentment being filed by the Clerk of the Peace in open Sessions shall be a conviction in Law, unless the persons so presented (having notice thereof by delivery of a copy thereof or leaving one at their houses in the presence of one or more witnesses, ten days before the next Quarter-Sessions) shall traverse such presentment, and find sureties to prosecute such traverse at the Quarter-Sessions next after such traverse entered.

IX. Constables, &c. and other publick Officers shall from time to time, within fourteen days after Warrant from two or more Justices of Peace, calling to them such as they find convenient, destroy all Tobacco planted or growing in any ground.

X. And if any such Tobacco shall be unconsumed fourteen days after receipt of such Warrant, the Constables, &c. shall forfeit 5 s. for every Rod of ground so set, or planted, &c. and proportionably for a greater or lesser quantity: one moiety to the King, the other to him that will sue for the same.

XI. Persons refusing to assist any Constable, &c. upon conviction before two Justices of the Peace, shall forfeit 5 s. to be levied by Warrant from them by distress and sale of Goods, and for want thereof be committed for a week.

XII. Persons forceably resisting any Constable, &c. in the due execution of this Act, upon conviction before two Justices of the Peace, shall forfeit five pounds, to be levied by Warrant from them, by distress and sale of Goods, and in default thereof be committed for three months.

XIII. Defendants in suits commenced for acting in pursuance of this Act, or that of 12 Car. 2. Cap. 34. or 15 Car. 2. Cap. 9. may plead the general issue and give the special matter in evidence: and if the Plaintiff be non-suit or forbear prosecution or discontinue, or a verdict be against him, the Defendant shall recover costs.

XIV. The like proviso for Physick-Gardens and Gardens for Chirurgery, as in the two former Acts.

XV. This Act shall continue nine years and to the end of the Session of Parliament then next ensuing.

Tolls.

- I. Stat. 1. 30. 3 E. 1. If excessive Toll be taken in a Market Town, where it is the King's Town, the Franchise shall be seized; but where it is another's, if it be done by the Lords consent, the Franchise shall be seized, as before; but if done by a Bailiff, or other Officer, he shall restore as much more to the Town as was so taken, and suffer forty days imprisonment.
- II. Citizens or Burgesses who have the King or his Fathers Grant for Murage to inclose their Towns, if they take for Murage more than they ought to do by their Grant, and be thereof convicted, they shall lose their grant, and be also grievously amerced to the King.
- III. Stat. 18 E. 2. Ordinance of Bakers, how Toll shall be taken at a Mill.

Towns.

- I. Stat. 27 H. 8. 1. A remedy for repair of decayed houses and buildings upon the waste ground in Nottingham, and Shrewsbury, Ludlow, Bridgenorth, Quinborough, Northampton, and Worcester. See the Statute at large.
- II. Stat. 32 H. 8. 18. A remedy for repair of decayed houses and building upon waste ground in York, Lincoln, Canterbury, Exeter, Bath, Chichester, Salisbury, Winchester, Bristol, Scarborough, Hereford, Colchester, Rochester, Portsmouth, Pool, Lincolne, Worcester, Stafford, Buckingham, Pomfret, Grantham, Ipswich, Southampton, Great Yarmouth, Oxford, Great Dunmow, Gifford, Stratford, Kingston upon Hull, Newcastle upon Tyne, Beverley, Bedford, Leicester, Berwick. See the Statute at large.
- III. Stat. 32 H. 8. 19. A like Statute of re-edifying of Shafesbury, Sherborn, Bridport, Dorchester, Weymouth, Plymouth, Plimpton, Exeter, Tavestock, Dartmouth, Lancelton, Liskard, Lestribi, Bodmyn, Truro, Helstone, Bridgewater, Taunton, Somerton, Ilchester, Malden in Essex, and Warwick. See the Statute at large.
- IV. Stat. 3 H. 8. 36. A like Statute for Canterbury, Rochester, Stamford, Great Grimsby, Cambridge, Derby, Gifford, Dunwich, Cinque-Ports, with the members, Lewes, and Buckingham. See the Statute at large.
- V. Stat. 35 H. 8. 4. A like Statute for Shrewsbury, Chester, Ludlow, Haverford West, Pembroke, Derby, Carmarthen, Montgomery, Cardiff, Swansea, Cowbridge, New-Radnor, Prestend, Brecknock, Monmouth, Malden, in Essex, Abergavenny, Usk, Carlion, Newport in Monmouthshire, Lancaster, Preston, Liverpool, and Wigan. See the Statute at large.

VI. Stat. 1 & 2. P. M. 7. None dwelling in the County out of a Corporation or Market-Town shall sell or cause to be sold by retail, any Wollen-cloth, Linen-cloth, Haberdashery-wares, Grocery-wares, Mercery-wares, in any such Corporation or Market-Town, or the Suburbs or Liberties thereof, (except in open Fairs, in pain to forfeit for every time so offending 4 s. d. and the whole wares so sold, or offered to be sold; the moiety of which forfeiture shall be to the King and Queen, the other to the Seisor or Profecutor.

VII. Howbeir any person may sell such wares in the said place by whole-sale in gross, and by retail also, he being made free of the said places, or it being Cloth of his own making that is sold.

VIII. The liberties of the Universities are saved.

IX. Stat. 18 El. 21. It shall be lawfull for any person free to buy and sell in *New-Woodstock* all Wools and Yarn brought thither upon the usual Markets or Fair-days, and the same to use and employ to their best profit, notwithstanding any Statute Law or Usage to the contrary.

Trade.

I. Stat. 15 Car. 2. Cap. 7. When the prices of Corn or Grain, *Winchester* measure, exceed not these rates at the place where they shall be Shipped, viz. the Quarter of Wheat, 4 s. of Barley or Malt, 28. of Buck. Wheat, 28. of Oates, 13 s. of Rye, 32 s. of Pease and Beans, 32 s. they may be transported and when they exceed not the said rates at the place where they shall be imported, there shall be paid for Custom of every Quarter of Wheat, 5 s. 4 d. of Rye, 4 s. of Barley or Malt, 2 s. of Buck-Wheat, 2 s. of Oates, 1 s. 4 d. of Pease and Beans, 1 s.

II. And when they exceed not the said prices at the Market or places where they shall be bought, all persons nor forebidding nor selling them in the same Market within three months after buying them, may buy and lay them up to sell again without incurring any penalty.

III. No Commodity of the growth or manufacture of *Barbadoes* shall be imported into any of the King's Plantations which are to be in *Asia*, *Africa* or *America*, (*Tangier* excepted) but which shall have been Shipped in *England*, *Wales*, or Town of *Bristol* and in *English* built Shipping, or bought before the first of October 1662. and having such Certificate as is directed in 14 Car. 2. c. 11 (*Vide sup. tit. customs, sect. XLVIII. & tit. Ships, sect. LXI.*) and whereof the Muster and three fourths of the Mariners are *English*, and carried directly thence to the said Plantations, shall pay to lose the same, and if imported by Water, the Vessel shall pay one third to the King, the other to the Governor of such Plantation.

where seized or sued for : else that third to the King also, the other third to him that will seize or sue for the same in any the King's Courts in such Plantations, or any Court of Record in England.

IV. But it shall be lawfull to lade in such Ships so navigated, in any part of *Europe*, Salt for the Fishers of *New-England* and *Greenland*, and in the *Maderaes* and *Azores*, Wines of the growth of the said Islands : and in *Scotland* or *Ireland* to take in Horses or Horses and all Victuals of the growth or produce of the said places, to transport them to the said Plantations.

V. They that import by Land any Goods into the said Plantations, shall deliver to the Governor of such place or Officer by him appointed within twenty four hours after such importation, the Names and Surnames with a true Inventory of such Goods : and no Vessel coming to any such Plantation shall lade or unlade unless the Master have made known as aforesaid, the arrival of the Ship, her Name, his own Name and Surname, and have shewn that she is an *English* built Ship and navigated as aforesaid, or produce such Certificate, and have delivered an Inventory of her Lading, with the places where her Goods were taken in, on pain to lose the Ship and Goods of the growth or manufacture of *Europe* not taken in, in *England*, *Wales*, or Town of *Berwick*, to be recovered and divided *ut supra*. Governors of such Plantations before entrance in their charge, shall take an Oath before such as the King shall appoint, to doe their utmost to cause this Act to be observed, on pain of being removed : and if having taken such Oath, they offend contrary to this Act, they shall be turned out and be incapable of the government of any Plantation : and forfeit 1000 l. the half to the King, the other half to him that will sue for the same in any the King's Courts there, or Courts of Record in *England*.

VI. Officers of the Customs that give Warrant for or suffer for, Tobacco, Ginger, Cotton-wool, Indico, Speckle-Wood, *Jamaica* Wood, Fustick or other dying Wood of the growth of any of the said Plantations, to be carried into any other Country, till they have been put on shore in some Port, &c. in *England*, *Wales*, or Town of *Berwick*, shall lose their place, and the value of such Goods, one half to the King, the other to the Owner.

VII. Sea-Coal may be Shipped for any part of them out of *England*, *Wales*, or Town of *Berwick*, in such Shipping and navigated as aforesaid, paying for the Chalder *Newcastle*-measure, 1 s. 6 d. and for the Chalder, *London* measure, 1 s. in full of Customs and Poundage. But security must be given to the Officers of the Customs for landing them in the said Plantations.

VIII. Foreign Coin or Bullion may be exported, making entry thereof in the Custom-House of the Port, &c. out of which, &c. without paying any Duty.

IX. For every head of great Cattel, except of the breed of *Scotland*, imported after the first of *July*, and before the 20th. of *December* in any year, and every head of the breed of *Scotland* imported after the 24th. of *August* and before the 20th. of *December* in any year, there shall be paid to the King 20 s. and 10 s. to him that will inform or seize, and 10 s. to the Poor of the Parish where such seizure or information shall be made: and 10 s. to the King for every Sheep imported between the first of *August* and 20th. of *December* in any year. This Act as far as it concerns great Cattel or Sheep to continue but to the end of the first Session of the next Parliament.

X. No fresh Herring, fresh Cod or Haddock, Coal-fish or Gull-fish shall be imported but in Vessels *English* built or having such Certificate, and navigated as aforesaid, and which hath been caught in such Vessels on pain to forfeit such Fish and the Vessel in which it is imported, one moiety to the King, the other to him that will sue or seize.

XI. For the following kinds of salted or dried Fish imported or caught in other Vessels than as aforesaid shall be paid by way of impost these sums; viz. for Cod-fish, the barrel, 5 s. the last containing twelve barrels 3 l. the hundred, containing six score, 10 s. for Coal-fish, the hundred, containing six score, 5 s. for Lings, the hundred, containing six score, 1 l. for White Herrings, the Last, containing twelve barrels, 1 l. 16 s. for Haddock the barrel, 2 s. for Gull-fish, the barrel, 2 s.

XII. Cattel of the breed of the Isle of *Man* may be imported, not exceeding six hundred in one year, and Corn of the growth of that Island; so the Cattel be landed at *Chester*, *Liverpool* or *Wire-water*.

XIII. Stat. 22 Car. 2. Cap. 13. All persons may transport all sorts of Corn and Grain, though the prices thereof exceed the rates set down in the Act of 15 Car. 2. Cap. 7. paying the rates as are to be paid when the same might have been transported by 12 Car. 2. Cap. 4.

XIV. When the prices of Corn and Grain at the times and places when and where they shall be imported, exceed not the rates following, there shall be paid for the Custom and Poundage thereof as followeth, viz. fifteen Shillings for a Quarter of Wheat, not exceeding the price of 53 s. and 4 d. and 8 s. when it does exceed that price and is not above 4 l. the Quarter: and 16 s. for a Quarter of Rye, not exceeding the price of 40 s. and 16 s. for a Quarter of Barley or Malt not exceeding the price of 32 s. and 16 s. for a Quarter of Buck-Wheat, not exceeding the price of 32 s. and 5 s. 4 d. for a Quarter of Oates not exceeding the price of 16 s. and 16 s. for a Quarter of Pease or Beans not exceeding the sum of 40 s. each Quarter to contain eight bushels and each bushel eight gallons.

XV. la

But when the prices exceed these rates, there shall be paid the duties payable before this Act.

XVI. There shall be paid for the Custom of a hundred weight of French or Pearl Barley, 5 s.

XVII. Stat. 23 Car. 2. Cap. 7. All the King's Subjects of England, Wales, and Town of Berwick, and other persons residing here, may Trade to and from Greenland and those Seas, to the Whales and other Fish, and import all sorts of Oil, Blubber and Fins thereof, and exercise all other Trade to and from such parts.

XVIII. Any persons, Natives or Foreigners may import Fish-oil or Blubber of Greenland and parts adjacent, or of Newfoundland or any other the King's Plantations, made of any Creature living in the Seas, and Whale-fins caught in Vessels belonging to England, Wales, or Town of Berwick, and imported in such Ships, without paying any Duty: and for the Tun of such Oil taken by Shipping belonging to any of the King's Plantations and imported in such Shipping, there shall be paid 6 s. and for every Tun of Whale-fins taken and imported in such Shipping, 50 s. and for the Tun of such Oil taken by the said Shipping, but imported in Shipping belonging to England, Wales, or the Town of Berwick, 3 s. and for every Tun of Whale-fins taken and imported in such Shipping, 25 s. and for the Tun of such Oil and Blubber of Foreign Fishing, 9 l. and for every Tun of Whale-fins, 18 l. and no more.

XIX. Any Vessel belonging to England, Wales, or the Town of Berwick, and whereof the Master shall be an English man, and inhabiting in the places aforesaid, after the first of May 1673. and untill the 25th of March 1683. employed for catching Whales, during such Voyage may be navigated with one moiety of the Mariners, and the one moiety of the rest of the Mariners onely English, and yet shall pay no other Custom for the Oil, Blubber and Fins caught and imported, than if it had been navigated with three fourths of the Mariners English.

XX. No Vessel belonging to England, Wales, or Town of Berwick, shall enjoy any benefit by this Act, unless she did proceed on her Voyage from England, &c. and was victualled in one of those places, to be attested by the Collector of the Port where she was victualled.

XXI. If any Vessel shall come to any of the King's Plantations, to ship any Sugar, Tobacco, Cotten-wool, Indico, Ginger, Furze, or other dying wood of their growth, and bond shall not be given with one surety to bring the same to England, or Wales, or the Town of Berwick, there shall be answered to the Ship these duties following, viz. for Sugar white, the hundred weight, containing 112 l. 5 s. and brown Sugar and Muscavadoes, the hundred weight containing *ut sup.* 1 s. and 6 d. for Tobacco, the pound, 1 d. for Cotten-wool, the pound one half-peny, for Indico,

Indico, the pound, 2 *d.* for Ginger, the hundred weight, counting a hundred and twelve pounds, 1 *s.* for Log-wood the weight, 5 *l.* for Fustick and all other dying wood, the like weight 6 *d.* and for every pound of *Cacao Nuts*, 1 *d.* to be paid and to whom shall be appointed in the said Plantations being Lading thereof: and under such Penalties to Officers and Goods as for non-payment or defrauding the King of his Customs in *England*.

XXII. The several Duties hereby imposed shall be caused to be levied by the Commissioners of the Customs in *England*, under the authority and directions of the Lord Treasurer or Commissioners of the Treasury.

XXIII. If any shall not have monies to pay the Duties aforesaid, the Collectors may accept such a proportion of the Commodities as shall amount to the value thereof.

XXIV. All persons, Natives or Foreigners may Trade to and from *Sweden, Denmark, and Norway*.

XXV. Any Subject of this Realm may be admitted into the Fellowship of the East-land Merchants, paying for his admission 40 *s.*

¶ Treason.

I. *Stat. de Proditionibus*, 25 E. 3. *Stat. 3. Cap. 2.* To compass or imagine the death of the King, Queen, or Prince; to violate the Queen, the King's eldest daughter unmarried, or the Prince's wife; to levy War against the King, or adhere to his enemies within the Realm, giving them aid or comfort within the Realm, or elsewhere; to counterfeit the King's Great Seal or Privy Seal, or his money; to bring false money into this Realm counterfeit according to the money of *England*, (knowing the said money to be false,) to merchandize or make payment with it; to kill the Chancellor, Treasurer, or any Justice of either Bench, Justices in Eyre, Justices of Assize or any other Justices assigned to hear and determine, being in their places doing their Office: is by this Statute declared to be High-Treason: And in the like cases that ought to be adjudged Treason which extends to the King, or his Royal Majesty.

II. Forfeitures of Escheats pertain to the King, of whomsoever the lands are holden.

III. There is another sort of Treason, (*viz.* Petty-Treason) when a Servant kills his Master, a Wife her Husband, a Secular or Regular his Prelate to whom he oweth faith and obedience. In such cases the Escheat pertains to every Lord of his own Fee.

Any other case supposed, Treason shall happen before
Juries, they shall defer the Judgment thereof, untill the case
be declared before the King and his Parliament, whether it
be adjudged Treason or Felony.

To ride armed with men of Arms, with purpose to kill, rob,
murder another untill he hath made fine and ransom, shall
be adjudged Treason, but Felony or Trespass, as hath been
heretofore used: and if any such attempt hath been heretofore ad-
judged Treason, and thereupon Lands seized into the King's hands
in behalf of other Lords, they shall be restored to such Lords,
except to the King his year and waste.

III Stat. 1 H. 4. 10. Treason shall not be adjudged other-
wise than as it was ordained by 23 E. 3.

IV Stat. 26 H. 8. 13. *pars inde.* Treason committed out-
of the Realm shall be inquired of in such County, and before
such persons, as the King shall appoint by Commission: and upon
Indictment and Presentment so found and certified into the
King's Bench; like Process and other circumstance shall be there-
after made against the offender, as if such Treason had been
committed to have been committed within the Realm. Also all Pro-
cess of Outlawry within the Realm against such offender (being re-
turned out of the Realm at the time of the Outlawry pronounced)
shall be as good in Law, as if such offender had been resident
within the Realm at the time of the Process awarded, and such
Outlawry pronounced.

V Stat. Every such Offender being lawfully convicted by Pre-
sentment, Confession, Verdict, or Process of Outlawry, shall for-
feit to the King all such Lands, Tenements and Hereditaments,
as he shall have of any Estate of Inheritance in use or posses-
sion, by any right, title, or Means, within the King's Dominions,
at the time of such Treason committed, or after:

VI Stat. The Rights, Titles, Interests, Possession, Leases, Rents,
Reversions, and other Profits of all persons, their Heirs and Succes-
sors, except of the Offenders, or others claiming to their use,)

VII Stat. 33 H. 8. 20. If any person commit High-Treason
and is of perfect memory, and after accusation, examina-
tion, and confession thereof before any of the King's Council,
he shall fall into Lunacy, he shall be inquired of in any County
by his Commission shall assign; and if he be
indicted, he shall be there arraigned without his personal
appearance; and if he be found guilty, he shall suffer death, and for-
feiture as if he had been of perfect memory. *But this is altered by*

Stat. P. M. 20. *which see after.*

Sec. 1. If any person be attainted of High-Treason by the Com-
mission of Laws or Statutes of this Realm, such Attainder by the Com-
mission of Law shall be of as good force, as if it had been done by

Parliament, and the King shall have as much benefit thereof of Lands, Tenements, Hereditaments, Goods, Chances, Rights, Entries, Conditions, Possessions, Reversions, Rents, and all other things of such offender, and shall be adjudged in actual and real possession of all such things of the offender, which the King ought or might lawfully to have, which the offender ought or might lawfully lose or forfeit, he had been attainted by the Parliament, without any Office Inquisition to be found of the same.

XII. The right, &c. of all others, (except of the offenders) is saved.

XIII. Stat. 35 H. 8. 2. All Treasons, misprisions of Treasons, and concealments of Treason, committed out of the Realm, shall be inquired, heard and determined before the Justice of the King's Bench, by lawfull men of the County where the Bench shall then sit, or before Commissioners in such County as the King shall assign, by lawfull men of the same County, in the manner as if the offence had been committed in the same County where it is so inquired, heard and determined. But here, Peer shall be tried by his Peers.

XIV. Stat. 1 E. 6. 12. All former Statutes which make any offence, Treason or petty-Treason are repealed, save only what is so made by 25 E. 3. Stat. 3. Cap. 2. and by this Statute.

XV. It shall be High-Treason to affirm by Writing, Printing or Deed, that the King is not Supreme Head of the Church of England and Ireland, or that any other is. *But this Clause is repealed by 1 P. M. 8.*

XVI. It shall be High-Treason to interrupt any person whom the Crown is limited, by 35 H. 8. 1. *But this is also expressly repealed by the general words of 1 M. Sess. 1.*

XVII. If any compass to depose the King, or do affirm that he ought not to be King; for the first offence he shall forfeit his Goods, and suffer imprisonment at the King's will; for the second, he shall lose the issues of his Lands during life, and suffer perpetual imprisonment; and for the third, shall be guilty of High-Treason. *But so much hereof as concerns Treason, Petty-Treason, or misprision of Treason, is also repealed by the general words of 1 M. Sess. 1.*

XVIII. Stat. 5 E. 6. 11. It is High-Treason to affirm by Writing, Printing, Painting, Carving, or Graving, that the King is an Heretick, Schismatick, Tyrant, Infidel, or Usurper of the Crown, or rebelliously to detain from the King any of his Castles, Holds, Ships, Ordnances, Artillery, or other Fortifications of War. *But this part of this Statute is repealed expressly by 1 M. Sess. 1.*

XIX. Treason

Treason committed out of the Realm shall be inquired in such County, and before such persons, as the King appoint by Commission; and upon every Indictment and Judgment so found and certified into the King's Bench, like and other circumstances shall be there had and made as if the offender, as if such Treason had been found to have been committed within the Realm. Also all Process of Outlawry within the Realm against such offender (being resident out of the Realm at the time of the Outlawry pronounced) shall be good in Law, as if such offender had been resident within the Realm at the time of the Process awarded, and such Outlawry pronounced.

XII. If the party within one year after the Outlawry or Judgment given thereupon yield himself to the Chief Justice of England, and offer to traverse the Indictment or Appeal whereupon he was so outlawed, he shall be admitted to such traverse, and thereupon acquit, shall be discharged of the Outlawry, and all forfeitures by reason thereof.

XIII. The Offender in Treason, being lawfully convicted thereof, shall forfeit to the King all such Lands, Tenements and Hereditaments, as he shall have of an Estate of inheritance in his right, in use or possession, in the King's Dominions, at the time of the Treason committed, or at any time after.

XIV. Concealment of Treason shall be deemed misprision of Treason. *But quære whether this Clause be not also repealed by general words of 1 M. 1.*

XV. None shall be attainted of Treason but by the testimony of two lawfull accusers, who shall be brought in person before the party accused; unless he will willingly without violence confess the offence.

XVI. Here, the right of all others is saved.

XVII. The Wife shall lose her Dower, where the Husband is attainted of Treason, so long as the attainder continues in force.

XVIII. Stat. 1 M. Sess. 1. No Act or Offence shall be adjudged Treason, Petty-Treason, or misprision of Treason, but such as shall be declared to be so by 25 E. 3. Stat. 5. Cap. 2.

XIX. Stat. 1 M. Sess. 2. 6. To counterfeit any Foreign Coin (made current in this Realm) or the Queens Signet Manu-Script Signet, or Privy Seal, shall be adjudged High-Treason, and all Counsellors, Procurers and Abettors thereunto, shall be deemed Traytors.

XX. Stat. 1 & 2 P. M. 10. Trial of Treason shall be according to the course of the Common-Law, and not otherwise.

XXI. The right of all others is saved.

XXX. Concealment of High-Treason shall be adjudged as Prison of Treason, and shall incur punishment accordingly.

XXXI. Also in cases of High-Treason concerning Coins, for counterfeiting the King or Queen's Signet, Privy Seal, Great Seal, or Signet Manual, such trial shall be observed, as heretofore hath been used by the Common Law.

XXXII. Stat. 1 & 2 P. M. 11. If any person bring from beyond Sea into this Realm, or any of the Dominions thereof, any false and counterfeit Coin, of Money, (allowed to be current in this Realm,) knowing it to be so, with intent to utter the same here by merchandizing or otherwise, both he and his accessories shall be adjudged offenders in High-Treason; and shall be adjudged and convicted or attainted for the same by such evidence, and in such form, as hath been used within this Realm before the first of E. 6.

XXXIII. Stat. 5 El. 11. Clipping, washing, rounding, or filing, (for lucre-sake) any of the proper moneys or Coins of the Realm, or the Dominions thereof, or of foreign Moneys or Coins (allowed to be current here,) shall be adjudged High-Treason; and the offender herein, together with his accessories being thereof attainted, shall suffer death, forfeit all his Goods and his Lands also during life.

XXXIV. They who have any grant of forfeitures of Lands or Goods within any Liberty or Precinct, shall in this case also enjoy them.

XXXV. These offences make no corruption of blood, nor forfeiture of Dower: And here, Trial of a Peer shall be by his Peers.

XXXVI. Stat. 18 El. 1. If any person shall (for lucre-sake) by any ways or means whatsoever impair, diminish, falsify, or lighten the Coins of these Dominions, or the Coins of any other Realms (allowed to be current here, during the time they are so allowed,) it shall be adjudged Treason, and the Offender therein, their Counsellors, Consenters and Aiders, shall suffer death, forfeit all their Goods and Chattels, and their lands also during life.

XXXVII. Howbeit, this offence shall cause no corruption of blood, nor forfeiture of Dower; and the trial of a Peer shall be by his Peers.

XXXVIII. Stat. 29 El. 1. No Record of attainder in Treason shall be reversed, where the party attainted is executed for the same offence.

XXXIX. Stat. 13 Car. 2. Cap. 1. If any during the life intend death or destruction or any bodily harm tending to death or destruction, maim or wounding or restraint of the life of any person, or to depose him from the stile or honour of the Imperial Crown of any of his Dominions, or to levy War against him,

any Strangers to invade any of his Dominions under his
 name, and any such intentions declare by Printing, Writing,
 or advised speaking, such persons being convicted up-
 on Oaths of two Witnesses upon Trial, or otherwise attain-
 ed by Law, shall be adjudged Traitors.

II. No person by virtue of this Act shall incur any penalty,
 nor be prosecuted within six months after the offence com-
 mitted, and indicted within three months after such prosecu-
 tion.

III. The Witnesses at the Offenders Arraignment shall be
 brought before him face to face.

Trespas.

Statute of Gloster. Cap. 8. 6 E. 1. Sheriffs shall plead
 of Trespas in their Counties as they have been accustomed
 to be pleaded.

None shall have Writs of Trespas before Justices, unless
 sworn by his faith, that the Goods taken away were worth
 at least.

If he complain of beating, he shall answer by his faith
 that the plaint is true; but for maims and wounds, a man shall
 swear by his Weir, as before hath been used.

The Defendants in such pleas may make their Attorneys;
 an Appeal lieth not; so that if they be attainted of Trespas
 absent, the Sheriffs shall be commanded to take them, and
 shall incur like pain, as they should have had if they had
 been present at the Judgment given.

If the Plaintiffs in such Trespas cause themselves to be
 arrested after the first appearance, day shall be given them till the
 next of the Justices, and the Defendants in the mean time shall
 have peace.

In such Pleas and others where Attachment and Distresses
 are used, if the Defendant Essoin himself of the King's service, and
 bring his Warrant at the day given by the Essoin, he shall
 receive the Plaintiffs damages for his Journey, 20 s. or more
 at the discretion of the Justices, and besides shall be grievously
 fined to the King.

Stat. 43 El. 7. If any shall be convicted by his own
 confession, or by the Testimony of one Witness upon Oath, be-
 fore a Justice of Peace or Head-Officer, to have unlawfully cut
 away any Grain growing, robbed any Orchard or
 digged up or taken away any Fruit-trees, broken any
 Pales, or other Fences, cut or spoiled any Woods or
 woods, standing and growing, or the like, or to have
 been

been accessory therunto, he shall for the first offence, pay unto the party grieved such damages, and within such time as by the said Justice or Head-Officer shall be appointed: And in case the party offending shall not by the said Justice or Officer be thought able to discharge the said damages, or shall not discharge them according to the Order, then shall the said Offender be by them or either of them (respectively) committed to the Constable, or other Officer of the place where the offence was committed, or the party apprehended, to be whipped. And for every other offence committed afterwards, and proved as aforesaid, the party offending shall receive the like punishment of whipping.

VIII. The Constable or other inferior Officer that herein refuseth or neglecteth to doe his duty, shall by any such Justice of Peace or Head-Officer be committed to prison without bail till he whip, or cause to be whipped, the party offending, as above limited.

IX. No Justice of Peace shall execute this Statute for offences done to himself, unless he be associated with one or more Justices of Peace whom the offence doth not concern.

X. Stat. 21 Jac. 16. *pars inde.* In all Actions of Trespass *Quare clausum fregit*, wherein the Defendant or Defendants disclaim in his or their Plea to make any Title to the land which the Trespass is by the declaration supposed to be done, and where the Trespass is by negligence or involuntary, the Defendant or Defendants shall be admitted to plead a discharge, and that the Trespass was done by negligence or involuntarily, and to tender or offer sufficient amends for such Trespass before the Action brought; whereupon, or upon some of which, the Plaintiff or Plaintiffs shall be forced to join issue; and if the issue be found for the Defendant or Defendants, or the Plaintiff or Plaintiffs be non-suited, such Plaintiff or Plaintiffs shall be clearly barred from the said Action or Actions, and all other concerning the same.

Trial.

1 Stat. 9 E. 3. Stat. 1. Cap. 4. Whereas many be delayed in their Actions, for that the Tenants or Defendants plead in Release, Quit-claim, or other special Deed, made within a Franchise, where the King's Writ runneth not; It is enacted, that when such Deeds are shewed forth in Bar of an action, that bear date within a Franchise, albeit the Witnesses named in the Deed be of the Franchise, yet if the Deed be denied, the same shall be awarded in the Court where the Plea depends, to cause the Country and the Witnesses to appear; and if the Witnesses come not at the great Distresses returned, notwithstanding such absence of the Witnesses, the Justices shall let to proceed to the taking of the Inquest, as well as if such deed did bear date within the Country where the Plea is moved, and that the Witnesses were of the same Coun-

1 Stat. 8 H. 6. 29. The Statute of 28 E. 3. 13. (*which see before*) ordering that an Inquest shall be *De medietate lingua* when an Alien is party, is confirmed: And it is by this Act declared, that the Statute of 2 H. 5. 3. (*which see in before*) doth onely extend to Inquests taken between Denizen and Denizen; so that an Alien may be put upon Inquests according to the Statute of 28 E. 3. Albeit he have not lands of the value of 40 s.

1 Stat. 20 H. 6. 9. Trial of Dutchessees, Countesses and Baronesses, for Treason or Felony, shall be as of Noblemen, of the Realm, and not otherwise, notwithstanding the Statute of *Magna Charta*, Cap. 9. which mentioneth men onely to be tried by their Peers. See the Chapter of *Mag. Chart.* in Action.

1 Stat. 4 H. 8. 2. pars inde. Where a Murtherer or Felon (who delay his arraignment) pleads that he was taken out of a prison place in a foreign County, and it is alledged by the King's Attorney (or some other in the King's behalf) that he was taken in the County where he is so to be arraigned, they shall be tried by the Inquest who are to try the Murther or Felony, and in the same Justice; and if it be found that he was taken in a foreign County, such foreign plea shall do him no advantage nor benefit.

1 Stat. 27 H. 8. 4. Murther and Robberies committed by Pirates upon the Sea: or in any other place where the Admiralty has jurisdiction, shall be inquired into, tried, heard and determined, in such places and Counties within the Realm as

shall be limited by the King's Commission, in like manner as such offences were done at Land. And such Commissions (being under the Great Seal) shall be directed to the Lord Admiral, his Lieutenant or Deputy, and to three or four such others as the Lord Chancellor shall name.

VI. The said Commissioners, or three of them, have power to inquire of such offences by twelve lawfull men of the County so limited in their Commission, as if such offences were done at Land within the same County; and every Indictment so found and presented shall be good in Law; and such Order, Process, Judgment and Execution, shall be used, had, done and made thereupon, as against offenders for Murther or Felony done at Land. Also the Trial of such offences (if they be denied) shall be had by twelve men of the County, limited in the said Commission (as aforesaid,) and no challenge shall be had for the Hundred: And such as shall be convict of such offences shall suffer death without benefit of Clergy, and forfeit Lands and Goods, as in case of Felonies and Murthers done at Land.

VII. This Act shall not prejudice any person or persons (excepted by necessity) for taking Victual, Cables, Ropes, Anchors or Sails out of another Ship that may spare them, so as they either pay ready money or money-worth for them, or give a Bill for the payment thereof; viz. if they be taken on this side the Straits of Morocco, within four months; but if beyond, within twelve months.

VIII. When any such Commission shall be sent to any place within the Jurisdiction of the Cinque-ports, it shall be directed to the Warden of the said Ports, or his Deputy, with three or four such other persons as the Lord Chancellor shall name: And the Inquisition and Trial of such offences there shall be made and had by the Inhabitants of the said Ports, and the members of the same.

IX. Stat. 25 H. 8. 15. This Act is *verbatim* the same with 27 H. 8. 4. save only that it extends as well to Treasons and other capital offences committed within the Admiral's Jurisdiction, as unto Felonies, Robberies and Murthers there done.

X. Stat. 33 H. 8. 12. The manner of the Trial and punishment of Murther and Blood-shed within the King's Court. See the Statute at large.

XI. Stat. 33 H. 8. 23. If any person, being examined before the King's Council, or any three of them, upon any Treason, misprision of Treason, or Murther, doth confess the same, or if the said Council is vehemently suspected to be guilty thereof, in this case the King shall direct a Commission of Oyer and Terminer to such persons, and into such County or place as he pleaseth for the speedy trial, conviction, or deliverance of such offenders.

here, no challenge for the County or Hundred shall be allowed; but a Juror may be challenged, if he have not Free-hold worth 40 s. per annum. In this case also the trial of a Peer shall be by his Peers.

XII Stat. 2 & 3 E. 6. 24. Where any is feloniously stricken or poisoned in one County, and dieth of such stroke or poisoning in another County, an Indictment thereof found by Jurors of the County where he dieth shall be as good in Law, as if the stroke or poisoning had been in the County where the party so dieth: And Justices of Gaol-delivery, and Oyer and Terminer, in the County where such Indictment is taken, as also the Justices of King's Bench, before whom such Indictment is removed, may proceed thereupon in all points, as if such stroke or poisoning and death had all happened in one and the same County.

XIII. Also an Appeal may be commenced, taken and sued in the County where the party so stricken or poisoned shall sue as well against the principal as accessory; in whatsoever County such accessory be guilty thereof; And the Justices before whom such Appeal is prosecuted (within the year and day after the offence committed,) shall proceed against every such accessory in the County where such Appeal is so taken, in like manner as if the offence of such accessory had been committed in the same County, as well concerning trial by Jurors, upon the offence in Plea of Not-guilty, as otherwise.

XIV. Where any Murther or Felony is committed in one County, and more persons be accessory thereunto in another County, an Indictment found and taken against such accessory by the Justices of Peace or other Commissioners in the County where such person is accessory, shall be as good in Law as if the principal offence had been committed in the same County.

XV. The Justices of Gaol-delivery, or Oyer and Terminer (or any of them) of the County where the party so became accessory, shall (upon request) write unto the *Custos Rotulorum* where the principal shall be attainted or convicted, to certify them when the principal shall be attainted, convicted or otherwise discharged; and then the Justices of Gaol-delivery, Oyer and Terminer, or others authorized, shall proceed upon every such accessory in like manner as if both the principal offence and accessory, had been committed in the County where the party so became accessory; and thereupon every such accessory shall answer upon his arraignment, and receive such trial, judgment and execution, and suffer such pains and forfeitures, as are used in other cases of Felony.

Vacations of Bishopricks.

I. Magna Charta, **P**atrons of Abbeyes shall have the custody of them in time of Vacation.
33. 9. H. 3.

II. Stat. pro Clero, 4. 14 E. 3. Escheators shall preserve from waste and destruction the possessions of Archbishopricks, Bishopricks, and other Prelacies, during their Vacations, and the Chancellor and Treasurer shall demise them to the Dean and Chapter, or Prior and Convent, before any other, at a reasonable rate, without fine; but if they will not take them, then shall the said Chancellor and Treasurer cause them to be preserved by the said Escheators, or others, and the reasonable profits thereof to be answered to the King.

III. Stat. pro Clero, 14 E. 3. This Chapter is also for demising them to the Dean and Chapter, or Prior and Convent, at a reasonable rate, and without fine, as before, and that the Escheator or other Minister shall not enter or molest them.

Of Vagabonds, Rogues, Beggars, and Poor People.

* **I. Stat. 39 El. 4.** Justices of Peace within every County and Corporation have power in Sessions to give order for erection of Houses of Correction, and also for the maintenance and government of the same, and for the punishment of offenders which shall be thither committed.

II. All Scholars and Sea-faring men which beg; all wandering persons which either beg or use unlawfull Games and Plays, themselves to have skill in Physiognomy, Palmestry, or the like, or pretend to tell Fortunes; all persons that are, or pretend to be, Collectors for Gaols, Hospitals, &c. All Fencers, Bear-keepers, Common Players and Minstrels wandering abroad, other than as shall be authorized by Noblemen under their hands and seals; all Juglers, Tinkers, Pedlars and Petty Chapmen wandering abroad; all Labourers which wander and refuse to work for a reasonable taxed, having no living otherwise to maintain themselves; all persons delivered out of Gaols, which beg for their

or otherwise do travel begging; all which wander abroad begging, pretending loss by Fire or otherwise; and all such persons (not being Felons) wandering and pretending themselves to be Egyptians, shall be adjudged Rogues, Vagabonds and sturdy beggars.

III. If any such Vagabond shall be taken begging, wandering, or misordering him or her self, he or she, by the appointment of any Justice of Peace, Constable, Headborough or Tithing-man there, (the two last being assisted by the Minister, or one other of the Parish,) shall be stripped naked from the waist upwards, openly whipped till their body be bloody, and forthwith sent the next way from Parish to Parish, by the officers of each Parish towards the place of their birth: but if that cannot be known, then towards the place where they last dwelt by the space of one whole year before such punishment: and if that cannot be known, then to the Town through which they last passed without punishment. And if it cannot be discovered where they were born, or last dwelt, as aforesaid, then they to be conveyed by the Officer there to the House of Correction, or Common Gaol of the County, to be employed in work, or placed in some service, and so to continue by the space of one year: or in case they be not able in body, that Town is to keep them, till they may be placed in some Almshouse within the same County.

IV. After which whipping, the Vagabond shall have a Testimonial under the hand and seal of the said Justice, Constable, Head-Officer, Tithing-man, and Minister, or any two of them, certifying the day and place of his punishment, the place to which he is to be conveyed, and the time limited for his passage thither; which time if by his own default he exceeds, he shall from time to time incur the like punishment, till he arrive at the place limited: the substance of which Testimonial shall be registred by the said Minister in a Book provided for that purpose, in parish.

V. If any such Rogue seem dangerous, or will not be reformed, two Justices of Peace (one *Quorum*) shall commit him to the House of Correction: and if at the next Quarter-Sessions by the more part of the Justices there he shall not be thought fit to be delivered, he shall by them be banished, and at the charge of that County shall be conveyed to such parts beyond the Seas as shall by six or more of the Privy-Council for that purpose be ordered, whereof the Lord Keeper or Treasurer to be one; or otherwise adjudged to the Gallies of the Realm, as the said Justices shall think fit. And if a Rogue so banished return without licence, he shall suffer as a Felon, to be tried in the County where he shall be apprehended.

VI. If a Constable, Headburrough or Tithingman, be found negligent in the due execution of this Act, they shall forfeit 10 s. for every default; and none shall make rescous against any Officer, or hinder the execution of this Law, in pain of 5 l. and to be bound to the good behaviour.

VII. None shall transport such a Rogue out of *Ireland, Scotland, or the Isle of Man*, (being born in any of these places) in pain to forfeit 20 s. to the use of the poor where he lands: And if any such shall be hereafter found in *England or Wales*, they shall suffer punishment, and be conveyed the next way home, as aforesaid; or (in case they came by Sea,) to the place where they landed, from whence they are to be transported to the charge of that County to the place from whence they came.

VIII. No impotent poor person shall pass to the *Bath* or *Buxton*, without being licensed to pass by two Justices of Peace where they dwell, and provided with relief, both for their journey and abode there; and shall also return within the time limited by their Licence, in pain to be reputed and punished as Rogues: and the City of *Bath*, or Town of *Buxton* shall not be chargeable with any such.

IX. Justices of Peace of the Counties shall not intermeddle in Cities or Corporations, but only the Officers of the same, who shall have like power there as the said Justices have in Counties.

X. This Act shall not extend to restrain the power which the City of *London* hath in the Government of *Saint Thomas Hospital* in *Southwark*, or to prejudice any jurisdiction or inheritance of *John Dutton* of *Dutton* in the County of *Chester* to enquire.

XI. The forfeitures and fines which shall accrue by this Act (other than those above otherwise limited) shall be employed for the maintenance of Houses of Correction, or the relief of the poor where the offence shall be committed, at the discretion of the said Justices of Peace; and may be levied by Warrant under the hands and seals of two Justices of Peace, by distress and sale of Goods. And here, the confession of the offender, or proof by two Witnesses before two such Justices, shall be sufficient conviction.

XII. Two Justices of Peace (one *Quorum*) shall have full power to hear and determine all causes which may come in question by reason of this Act.

XIII. The Lord Chancellor or Keeper for the time being shall have power to make Commissioners to enquire of money given towards the erection or maintenance of Houses of Correction, Stocks for Poor, or other such like uses.

III. A Seafaring man suffering Shipwrack, not having wherewithall to relieve himself, and having a Testimonial under the hand of some one Justice of Peace his Hand and Seal near the place where he landed, declaring the time and place of his landing, the place of his dwelling or birth, unto which he is to pass, and the time limited for his passage, may in the direct way home, and within the time so limited for his passage, ask and receive necessary relief, without incurring the penalties of this Act.

IV. This Act shall not extend to Children under seven years of age, nor to Glas-men which travel without begging, by Licence under the hands and seals of three Justices of Peace (one Quorum) of the County through which they travel.

V. Stat. 39 El. 17. Wandring Souldiers, and Mariners, and all others wandring as Souldiers or Mariners, which will not shew themselves to work, or have not a Testimonial under the hand of some one Justice of Peace near the place of their landing, sitting down the place where they landed, the place whither they are to pass, and the time of their passage, or, having a Testimonial, exceed the time therein limited above fourteen days, or counterfeit a Testimonial or produce one which they know to be counterfeited, shall in all these cases suffer as Felons, without benefit of Clergy.

VI. Justices of Assize, Gaol-delivery, and of Peace, in their Sessions, have power to proceed against these offenders as Felons of Felony without Clergy, unless some sufficient man approved by the Justices will enter into Recognisance of 10 l. to the Queen, to retain the offender for one whole year, and to bring him to the next Sessions of Peace and Gaol-delivery after the year ended. And if he within the year depart that service without licence, he shall afterwards, suffer as a Felon without benefit of Clergy.

VII. Souldiers and Mariners which fall sick in their passage shall be excused; though they exceed the time limited in their Testimonial, so that they perform this Act in convenient time after their recovery.

VIII. If, when they come home, they cannot get work, the next Justices (upon their complaint) shall take order that they may be provided of work, or otherwise shall tax the whole parish for their relief, untill work may be had.

IX. The Souldier or Mariner (licensed by a Justice of Peace whom he shall make his poverty known) having not wherewithall to bear his charges home, may ask and take relief, so it be in the direct way home, and within the time limited by his Licence.

X. These offences shall cause no corruption of blood.

XI. Stat. 1 Jac. 7. Noble Personages shall authorize any to go wandring abroad; and Glas-men shall be reputed and

and used as Rogues, notwithstanding the Statute of 39 *El.*
XXIII. Instead of banishing an incorrigible Rogue, or committing him to the Gallies, (as was ordained by 39 *El.*) shall in open Sessions be branded in the left Shoulder with burning Iron, having a great Roman R. upon it as broad as Shilling, and from thence shall be sent to the place of his dwelling; if that cannot be known, to the place of his birth. After which time if he offend again, he shall suffer as a Felon without benefit of Clergy.

XXIV. Every person that seeth or knoweth any Rogue beg, shall convey or cause him to be conveyed to the next Constable or Tithing-man, in pain of 18 s. to be levied and employed as the forfeitures of 39 *El.* 4. and in default thereof, by the Lord of the Leet, or his Officer, in like manner as persons authorized by the said Statute should have levied and employed the same. And here also, if the Constable or Tithing-man do not punish him according to that Statute, he shall be seised 20 s. to be also levied and employed as by the same Statute is appointed.

XXV. This Act shall not prejudice the jurisdiction of the Justice of the Peace of *John Dutton* of *Dutton* in the County of *Chester*, Esq.

XXVI. Stat. 7 Jac. 4. There shall be an House of Correction provided in every Shire to set Rogues and other idle people to work.

XXVII. The Justices in Sessions shall from time to time appoint a Governor for the said House, who shall have power to set such Rogues and idle people to work, and to punish them by moderate whipping, or putting Fetters or Gyves on them, which Rogues and idle persons shall not be chargeable to the Countrey, nor have other allowance than what they shall deserve by their own labour.

XXVIII. The said Justices shall at least twice every year in their several Divisions (and oftner if need be) assemble and meet together for the better execution of this Statute, and four or five days before their meeting shall by Warrant command the Constables and Tithing-men of every Hundred, Town, or Hamlet, (being assisted with other sufficient men,) to make general privy search in one night within their several Precincts for the finding and apprehending of Rogues, &c. and such shall be found, to bring them to the said meeting, to be examined, punished, or sent to the House or Houses of Correction there to be set to work.

XXIX. The said Constables and Tithing-men shall appear at the said meeting, and there give an account upon Oath in writing under the Masters hand; testifying the Rogues, &c. they have taken in the last search or since the last meeting, and how many have been punished, or otherwise sent to the House

Section : Which if they neglect to doe, or safely to convey
the House of Correction as by the said Justices Warrant
be committed thither, they shall incur what fine the said Ju-
shall please to set upon them, so it exceed not 40s.

XX. The Governors of the Houses of Correction shall
pay such a sum of money yearly as shall be thought fit by the
part of the Justices of Peace in Sessions, the same to be
quarterly before-hand by the Treasurers of the County,
Governors giving security for their continuance in the said

XXI. If any lewd Woman have a Bastard which may be
able to the Parish, the Justices of Peace shall commit her
to the House of Correction, there to be punished and set to work
whole year : And if she offend again, then she is to be com-
mitted again, there to remain till she put in good sureties for the
behaviour, and not to offend so again.

XXII. Persons running away, and leaving their charge to
the Parish, shall be deemed and punished as incorrigible
robbers : and those that threaten so to doe, (it being proved by
Witnesses upon Oath before two Justices of Peace of the
County) shall be by the same Justices sent to the House of
Correction, there to be punished as sturdy Rogues, (unless they
give sufficient Sureties to discharge the Town,) and not to be
released but at such a meeting as aforesaid, or in open Ses-

XXIII. If the Governors shall not every Quarter-Sessions
give to the said Justices a true account of all such persons as
are committed to their custody; or if they suffer any with-
out charge to make escape, or to be troublesome to the
County by going abroad, or otherwise, they shall incur what
the same Justices in Sessions shall think fit to impose upon

XXIV. All Fines which shall accrue by this Act (other than
already limited) shall be paid to the Treasurers of the
County, and by them be accounted for.

XXV. See Title, Poor, Num. XLV. and XLVI.

Clare,

Vestry-men.

I. Stat. 15 Car. 2. Cap. 5. An Act for the regulating Vestries. Expired.

Victual, Victuallers, Inholders and Hostlers.

* I. Stat. 12 E. 26. No person in any City or Burrough which by reason of his Office ought to keep the Affizes of Victuals, as long as he shall be attendant upon his Office, buy or sell Wines or Victuals, in pain to forfeit the same to the King, whereof the prosecutor shall have the third part as the King's gift.

II. Stat. 23 E. 36. All Butchers, Fish-mongers, Regent Hostlers, Brewers, Bakers, Poulterers, and all other sellers of Victuals, shall sell the same at reasonable prices, and for moderate gain, in pain (upon proof of the contrary before the Mayor or the King's Bailiffs, or before the Constables of the place, the evidence of two true men,) to forfeit the double value thereof to the party damaged, or (in his default) to him that will sue for the same: And all Mayor's and Head-Officers of Corporations have like power, and upon neglect of their duty hereunto shall forfeit the treble value thereof to the party or prosecutor, as aforesaid; and besides, shall incur a fine to the King to be assessed by the Justices to be assigned by the King.

* III. Stat. 31 E. 3. 10. Every man that bringeth Victuals to London may freely sell the same, without the interruption or impeachment of any.

IV. The Mayor and Aldermen of London may rule and punish the defaults of Fish-mongers, Butchers and Poulterers, as they do of such as sell Beer, Ale or Wine, notwithstanding any Franchise, Statutes, Custom, or other Privilege to the contrary. And they shall put the same in due execution, upon the pain contained by the Statute of 28 E. 3. 10. which see in London.

* V. Stat. 6 R. 2. Stat. 1. 9. No Victualler in London, or in any other City, Burrough, or Port of the Sea, shall exercise any special Office there; and in case any be chosen in the places aforesaid into such Office, he shall forbear to use Victualling during the time he exerciseth such Office, in pain to forfeit the victuals sold.

VI. Stat. 6 R. 2. 10. Aliens (being in amity with the Crown and Realm) may bring in Victual, and sell the same in any

shall, without the impeachment of any. See Stat. 11 R. 2.
17. 14 H. 6. 6.

VII. Stat. 7 R. 2. 11. All Vintners and Victuallers, as well
as others as other, coming with their Victuals to London,
under the governance of the Mayor and Aldermen of
City, as hath been heretofore used.

VIII. Stat. 13 R. 2. 8. Victuallers shall sell their Victuals
at reasonable prices as shall be set down by the Justices of
the Peace in two of the Sessions, to be holden betwixt Easter and
Michaelmas, in pain to be punished at the discretion of the said
Justices, where no pain is already limited in certain.

IX. Stat. 13 R. 2. 8. Sheriffs, Stewards, Mayors, Bailiffs, and all o-
thers which have power to keep Assise of Bread and Ale, shall
in fine or amerciamment for any default touching the Assise,
which the Offender ought by Law to have bodily punishment.

X. Stat. 23 H. 6. 13. Justices of Peace shall twice every
year read all Statutes concerning Victuallers (before this time
not so) to be openly proclaimed in Sessions.

XI. Stat. 12 E. 4. 8. No person (other than Mayors, Bai-
liffs of Leets, or others in point of Charter) shall execute
the office of searching or surveying of Wine, Ale, Beer, or any
Victual, or of the correction of breaking the Assise thereof,
for so much as to forfeit 40 l. to be divided betwixt the King and the
Mayor. And all Letters Patents of the King granted for that
purpose shall be void.

XII. Stat. 3 H. 8. 8. When a Victualler (in a City or Cor-
poration) is chosen to bear an Office, by reason whereof he
shall also to have the Assising of Victual during that time, two
other Victuallers (being no Victuallers) shall be joyned and sworn with
him to Assess and set prices and Assises of victual there,
which shall be sold accordingly. But here the Officers in Lon-
don and Coventry are excepted.

XIII. Stat. 25 H. 8. 2. The prices of victual in all places
of the Kingdom (except in Corporations) shall be assessed by the King's Counsellors,
or of either Bench, and some other great Officers: For
the Statute at large.

XIV. Provided, that Head-Officers in Corporations, and o-
thers having authority to prize victual, may still assess the prices
as if this Statute had not been made.

XV. No Corn, Beefs, Muttons, Veals, Porks or other victual,
transported beyond Sea, except for victualling of Ships,
excepted Butter, and Meal to be carried into Island, in pain
to the value thereof, to be divided betwixt the King and
the Mayor.

XVI. Stat. 2 E. 3 E. 6. 15. Butchers, Brewers, Bakers, Poulte-
rs, Costermongers or Fruiterers, which conspire or promise
that they will not sell their victual but at certain prices,
shall for the first offence 10 l. to the King, and if they pay

it not within six days after conviction, they shall suffer two days imprisonment, and during that time shall have no sustenance but bread and water: for the second offence they shall forfeit 20*l.* and that not paid within six days as aforesaid, shall suffer the Pillory: and for the third offence shall forfeit 40*l.* and that not paid within the time above limited, shall again suffer the Pillory, lose one of their ears, and be ever after taken to be infamous and not to be credited. And if such conspiracy be proved by the major part of the Company of such Victuallers, Corporation shall be thereupon dissolved.

XVII. Justices of Peace, Mayors, Bailiffs and Stewards, Sessions, Leets and Courts, have power to hear and determine these offences. Continued and confirmed 22 & 23 Car. 2.

* XVIII. Stat. 1 & 2 P. M. 3. None shall transport beyond Sea, or into Scotland, any corn or grain of English growth or Malt made there, or any Beer, butter, cheese, herring, wood, without lawfull Authority, in pain that the owner of the vessel in which they are so transported, shall forfeit the vessel; the owner of the said Commodity so transported, the value thereof; and the Master and Mariners all their goods, suffer a year's imprisonment without bail. Neither shall they convey by any vessel any of the aforesaid Commodities to any other ship or vessel to be transported, in pain to incur the forfeitures and penalties.

XIX. The one moiety of the said forfeitures shall accrue to the King and Queen, and the other to the prosecutor.

XX. In case the King and Queen, their heirs or successors, shall grant licence to transport such Commodities, the licensee shall not transport more than the licence allows, in pain to forfeit treble value thereof, and to suffer a years imprisonment without bail: And such licensed shall ship the said Commodities to any other place, in pain to forfeit all his goods and chattels to be divided as followeth, viz. the one moiety to the King and Queen, and the other to the prosecutor.

XXI. Justices of the Peace have power to examine witnesses against this Act, and to hear and determine (by the aid of 12 lawfull men) the offences committed against the same.

XXII. Provided, that when Wheat shall not exceed the price of 6*s.* 8*d.* Rye of 4*s.* and Barley of 3*s.* 4*d.* the quarter, it shall be lawfull to transport them, notwithstanding this Act. And shall this Statute impeach the necessary victualling of the Fleet by the Admirall's jurisdiction. *Howbeit, as to the transporting of Corn, this Statute hath since been divers times altered by several subsequent Acts, viz. 13 El. 1. Jac. 25. and 21 Jac. 28. and 22 Jac. 28. all by, 3 Car. 4. which see in Corn, and so it stands at this time.*

XXIII. Stat. 21 Jac. 21. The Statute of 32 H. 8. 4. together with other Statutes concerning horse bread, is repealed.

Inholders and Hostlers shall make no Horse-bread ;
their hay, provender and victuals at reasonable prices,
and take nothing for litter.

This Act shall not restrain those that live in a thorough-
which is no Market-Town, and wherein there is no Baker)
Horse-bread, according to the just Affize.

Justices of Oyer and Terminer, Justices of Peace, She-
riffs, and Stewards in Leets, have power to hear and
determine these offences.

If any Inholder or Hostler, which hath power (by
the Law) to make Horse-bread, observe not the affize, or if he
otherwise offend this Law in any other kind whatsoever ; for
the first offence they shall be fined, for the second suffer a
year imprisonment without bail, for the third be set upon the
pillory, and for the fourth shall be fore-judged from ever keep-
ing again.

View.

Art. 2. 48. 13 E. 1. View of Land shall not be granted
where it is necessary. For example, if one lose Land by de-
cedent and afterwards moveth for a Writ to demand the same
land, when one by an exception dilatory abateth a Writ af-
terwards had, as by Non-tenure, misnaming of the Town, or
otherwise, in these cases, upon purchase of another Writ, view
shall be granted, if he had view in the first Writ. So in a
Writ of Dower, when the Dower in demand is of Land, which
the Tenant had aliened to the Tenant or his Ancestors, whereof
the Demandant ought not to be ignorant ; here, albeit the Husband
is deceased, yet view shall not be granted to the Tenant.
In a Writ of Entry, which abated because the Demandant
was out of the Entry ; here, if the Demandant purchase another
Writ of Entry, the Tenant having had view in the first Writ,
shall have it in the second. Likewise in all Writs where Lands
are demanded by reason of a Lease made by the Demandant or
his Ancestor to the Tenant himself, being within Age, non com-
petent, in prison, or the like, view shall not be granted ;
but if the Demise were made to his Ancestor, view shall lie, as
of olden times heretofore used.

De visu terra, & Essoin de servitio Domini Regis,
view shall be granted in a Writ of Ward, of customs
of Advowson of a Church, (viz. when there be
more Churches than one in a Town, and all of one Saint,) of
the eighth part be assigned, and of Nuper obiit.

Villenage.

I. The Statute of Purveyors, cap. 18. 25 E. 3. notwithstanding adjournment made in Eyre by Writ *de Libertate probanda*, purchased in favour of Villeins, to delay their Lords in Actions for such Villeins, the Lord may in all Writs except exception of Villenage against them, whether such Writ purchased by deceit or otherwise. The Lords may also take their bodies, as well as they might have done before such *de Libertate probanda* purchased.

II. Stat. 38 E. 3. 15. No Writ shall be abated by error of cognizance of Villenage, if the Demandant or Plaintiff aver, that the party alledging the exception was free at the time the Writ purchased.

III. Stat. 9 R. 2. 2. Because divers Villeins and Nephews came to London, and other enfranchised places, and there did divers suits against their Lords, with intent to make them free by their Lords answers; it was ordained, that from thenceforth no Lord should be barred of his Villein because of his answer in Law.

Union and Severing of Churches.

I. Stat. 37 H. 8. 21. An Union or Consolidation of Churches in one, or of a Church and a Chapel in one, if they be not being above the yearly value of 6 l. in the King's Books, nor distant from the other above a mile, may be had by the Consent of the Ordinary, the Incumbents, and all who have a just Right, Title and Interest to the Patronage, being of full Age: And all such Union and Consolidation remain as good in Law as if he had been so declared by the Ordinary under Seals of such Ordinary, Incumbents and Patron.

II. All such Unions heretofore made are confirmed: and the King's Tithes and First-fruits of such Churches and Chapels already or hereafter to be Consolidated are saved.

III. Such Consolidations shall not be in Corporate Towns without the consent of the Magistrates thereof declared by the Magistrates under their Common Seal.

IV. Provided, that where the Inhabitants of any such Union, or the more part of them, within a year after such Union, their writing sufficient in Law, shall assure the Incumbent and his Successors so much money yearly, which together with the value thereof in the King's Books shall amount to the value of the Union, then such Union shall be void: Howbeit, this Provision shall extend to any such Union made before this Statute.

Stat. 1 E. 6. 9. An Act for uniting certain Churches in divers clauses concerning that matter.

Stat. 1 M. Parl. 1. 14. An Act for re-edifying the Church of St. Ellins in Stangate in York, which was demolished former Stat. See those Statutes at large.

Stat. 17 Car. 2. cap. 3. In every City or Town-Corporation, their Liberties, where two or more Churches or Churches and a Chapel and Parishes thereto belonging are, or shall be, of the Diocess with consent of the chief Officer or Officers, or the major part of them, and of the Patrons of the Churches, &c. may unite them, and appoint where the Parsonage shall meet, and which shall be united to the other. And the Parsonage shall pay all Tithes and other duties to the Incumbent of the Church to which the other is united.

Notwithstanding such union, the Parishes shall continue to all rates, taxes, Parochial rites, charges, and duties, in all respects whatsoever, other than what is above mentioned; Church-wardens shall be appointed for each as before.

Where one or more of the said Churches are full at the time of such union, it shall take effect at the next avoidance after. The Incumbents shall present by turns to that which remains in such union to the Bishop with consent of the chief Officers there or the major part of them, and of the Patrons, &c. shall decree, respect had to the differences of the maintenance.

No such union shall be good in Law till it be Registered in the Register Book of the Bishop of the Diocess; nor where the maintenance of the Church or Churches so united shall exceed 100 l. per annum clear, unless the Parishioners or the major part of them by their hands desire otherwise. The Incumbents of Churches so united must be Graduates in one of the Universities.

The Owners of Improvements, Tithes, &c. may annex the same to the Parsonage or Vicarage where they lie, or settle them on the Curates, where the Parsonage is impropriate and not endowed, without any licence of Mortmain.

If the settled maintenance of any Parsonage or Vicarages, or of any other Parsonage or Vicarage, or of any other Parsonage or Vicarage, shall not amount to 100 l. per annum clear, the Incumbent may purchase to him and his Successors, Lands, without licence of Mortmain.

Universities.

I. Stat. 2 & 3 P. M. 13. No Purveyor, Taker, Badger, or other Minister, shall take or bargain for any Victual or in the Markets of *Oxford* or *Cambridge*, or in any part of the City and Town, or within five miles compass of either, without the consent of the owner; nor shall take away or gain for any such Commodity, bought or provided within said five miles by any common Minister of any College or there to be spent in such College or Hall, in pain to forfeit the double value thereof, and to suffer three months imprisonment without bail.

II. The Chancellor or Vice-chancellor, or his Commissary, either of the said Universities, with two Justices of Peace of County adjacent, have power to enquire, hear and determine said offences.

III. The forfeitures shall be divided betwixt the University where such offence is committed, and the prosecutor; and be recovered in any Court of Record, or before the said Chancellor, Vice-chancellor, or Commissary, and two Justices.

IV. This Act shall be suspended during the Queen's presence, her Heirs and Successors, or within seven miles distance from.

V. The Liberties of the Mayors, Bailiffs and Commonalty of *Oxford* and *Cambridge* are saved.

* VI. Stat. 23 El. 21. No Purveyor, Taker, Badger, or other Minister of the Queen, her Heirs and Successors, shall take or bargain for any Grain or other Victual either of the said Universities, nor within the compass of five miles from either of them, without Licence of either of the Chancellors, or Vice-chancellors, in writing under their Office, and not otherwise than as in the said Licence expressed, and so as the same give unto them no farther power than they may lawfully use in other parts of the Countrey within said five miles: neither shall they take or bargain for any commodity bought and provided for any College or Hall, or spent within the same, without such Licence as aforesaid, such pains and forfeitures as by the Statute of 2 & 3 P. M. are ordained, and to like uses as are therein limited.

VII. The said Chancellors, or Vice-chancellors, with two Justices of Peace of the Universities, City, Town or Countrey, shall enquire, hear and determine the said offences, as by the Statute of 2 & 3 P. M. is appointed.

VIII. If any person within the said five miles refuse to provide for the Queen's use any corn or victual of any such

the said five miles as shall be declared to the said Ror-
persons not worthy of the said privilege, for not ser-
Universities, by the Chancellor or Vice-chancellor, with
of two such Justices as aforesaid, under the hands and
of the said Chancellor or Vice-chancellor, and two Justices,
as the said Purveyors lawfully may in any other place
the said five miles, and not otherwise.

This Act shall be in suspense during the Queen's presence
within seven miles distance.

The Liberties of the Mayors, Bailiffs and Commonalties of
Cambridge are saved.

Cloucher.

Marth. 29. 32. H. 3. None vouched to Warranty before
in Eyre in plea of land, shall be amerced, because he was
present when he was vouched, except it be the first day of
sitting of the Justices; but if the party be within the County,
the Sheriff shall cause him to come in within three or four days;
if out of the County, he shall have summons of 15 days at least.

Stat. 1. 39. 3. E. 1. In Writs of Possession, as *Moredance*,
Age, *Ayel*, *Nuper obiit*, Intrusion, or the like, whereby land
demanded which ought to descend, revert, remain, or escheat
by the death of any Ancestor or otherwise, if the Tenant vouch
to Warranty, and the Demandant will counterplead him, and aver,
that he, or by the Countrey, as the Court shall award, that the
Tenant or his Ancestor (whose Heir he is) was the first that entred
into the land of whose seisin he demandeth, this averment
shall be received, if the Tenant will abide thereupon; but if not,
he shall be compelled to another answer, unless he have his War-
ranty present, who will immediately enter into the Warranty:
then also the Demandant may have the like exception
against the Vouchee as he had against the first Tenant.

In a Writ of Entry in the degrees none shall vouch out of

In Writs of right and of possession (as before) it is also a good
counterplea, that neither the Vouchee nor his Ancestors had ever
seisin of the land, or any thing in the services by the hand of the
Tenant or his Ancestors, from the time of the seisin, whereof the
Demandant declares, untill the Writ purchased, so that he might
make a Feoffment to the Tenant or his Ancestors: and this Aver-
ment of the Demandant shall be also received, if the Tenant will
abide thereupon; but if not, the Tenant shall be compelled to ano-
ther answer as before, unless the Vouchee be present, and will immedi-
ately enter into Warranty, and then also the Demandant may have
the like exception as before.

V. If the Tenant have a Deed that comprised Warranty of another man, his recovery by a Writ de *Warrantia cartae* in the Chancery shall be saved to him: howbeit the plea shall not be delayed by reason thereof.

VI. Statute of Gloucester. 12. 6 E. 1. If a man impleaded in Tenement in London vouch a foreigner to Warranty, he shall have a Writ out of the Chancery, to summon the Warrentor at a certain day before the Justices of the Bench, and another to the Mayor and Bailiffs of London, to sur-cease the matter before the Bench untill the plea of the Warranty be determined in the Bench: when the plea at the Bench shall be determined, then shall the Voucheree be commanded to go into the City to answer the challenge, and a Writ shall also be awarded at the Demandant's suit, by the Justices to the Mayor and Bailiffs, to cause them to proceed in the plea: And if the Demandant recover against the Tenant, the Tenant shall come before the Justices of the Bench, who shall give a Writ to the Mayor and Bailiffs, to cause the land so lost by the Tenant to be extended and valued, and to return that Extent on a certain day unto the Bench; and after the Sheriff of the County (where the Warranty was summoned) shall be commanded to deliver to the Voucher land of the Voucheree answerable in value to the land that the Voucher hath lost. See a correction and further enlargement of this Statute. 9 E. 1.

VII. Statute. 16. 13 E. 1. As the Tenant shall lose the land in demand, in case where his Voucheree, dischargeth himself of the Warranty; so also shall the Voucheree lose, where he denieth the Warranty, and it be tried against him. Also, where an Error is depending between the Tenant and his Voucheree, and the Demandant will require a Writ to cause the Jury to come, it shall be granted him.

VIII. Stat. of Vouchers, 20 E. 1. This counterplea of the Voucheree, viz. that neither the Voucheree nor his Ancestors had any thing in the land, so that he might a feoffment make: the Warranty shall be received, albeit the Voucheree be ready to come into Warranty.

IX. Stat. 14 E. 3. 18. Where the Tenant voucheth to Warranty a dead man, the Demandant shall be received to sue, if the Voucheree is dead, and that there is none such.

Upholsters.

* I. Stat. 11 H. 7. 19. None shall put to sale in Fairs or Markets any Featherbeds, Bolsters, or Pillows, except such as are stuffed with one sort of stuff, viz. dry pulled Feathers, or clean Down, and not with scalded Feathers, Fen-down, or any other unlawful stuff, in pain to forfeit the same. Howbeit any (for their private use) may make or cause to be made any such unlawful stuff.

as the same be not exposed to sale in Fairs or Markets, the like pain.

Also Quilts, Mattresses and Cushions, shall be stuffed with any sort of stuff onely, viz. clean Wool, or clean Flocks, and not with Horse-hair, Fen-down, Neats-hair, Goats-hair, or other unclean stuff, in pain to forfeit the same.

III Stat. 5 & 6 E 6. 23. None shall make (to the intent to sell or offer to be sold) any Feather-bed, Bolster or Pillow, except the same be stuffed with dry pulled Feathers or clean Down onely, without mingling of scalded Feathers; Fen-down, Thistle-down, Lime, Gravel, or other unlawfull or corrupt stuff, in pain to forfeit the same (so offered to be sold) or the value thereof.

IV. None shall make (to the intent to sell or offer to be sold) any Quilt, Mattress or Cushions, stuffed with any other stuff, than Feathers, Wool, or Flocks alone, in pain to forfeit the same (so offered or put to sale) or the value thereof.

V. The forfeitures aforesaid are to be divided betwixt the party and the prosecutor.

Uses.

I Stat. 1 R. 3. 1. All Grants, Conveyances, Recoveries, and Assurances, may by *Cestuy que use*, (being of full age, competent, and at large,) shall be good against him, and all others claiming as his or her heirs or to his use. But here, the right of others is saved.

II Stat. 1 H. 7. The Demandant in a *Formedon* (in descender or remainder) may have his Action against the Pernor of the property, and such Pernor shall have such Voucher, Lien, Aids, Prayer, and all other advantages, as he should have if he were Tenant in fee, or his Feoffors should have if the Action were brought against them. And if such Pernor happen to die, his heir being within age, his heir shall also have his age, and all other advantages, as if his father had died seised of the land in demand. Also all Recoveries against such Pernors, their Heirs or their Feoffees, or Co-feoffees, or their Heirs, shall be as good as if such pernors were Tenants in fee, or Feoffees to their use, at the time of such Actions brought.

III Stat. 3 H. 7. 4. All Deeds of Gift of goods and chattels made in trust to the use of the Grantor shall be void.

IV Stat. 19 H. 7. 15. The Sheriff or other Officer having a writ to execute upon lands against any person upon any Judgment, Return, or Recognisance, may deliver Execution to the Plaintiff in all Lands and Tenements whereof any other is seised to the use of him against whom execution is used.

V. Also the heir of *Cestuy que use* of land in socage shall pay the same duties, Heiriot, and all other duties, to the Lord of the Fee, as if his Ancestors had died thereof.

VI. How-

VI. Howbeit, upon such execution served as aforesaid, *Cestuy que use* shall have all such advantage as he might have if he were seised of the land.

VII. *Cestuy que use* being a bond-man the land may be seised by his Lord.

VIII. Stat. 27 H. 8. 10. Where any person or persons stand or be seised of any Honours, Manors, Lands, Tenements, Rents, Services, Reversions, Remainders, or other Hereditaments, to the use, confidence or trust of any other person or persons, or of any Body Politick, by reason of any bargain, sale, feoffment, fine, recovery, covenant, contract, agreement, will, or otherwise; in every such case, every such person and persons, and Body politick, having such use, confidence or trust, in fee-simple, fee-tail, for life, or years, or otherwise, or any use, confidence or trust, in remainder, or reverter, shall stand and be seised, and deemed and adjudged in lawfull seisin, estate and possession of and in the Honours, Manors, &c. with the appurtenances of and in such like Estates as they have in use, trust or confidence, of or in the same: And the estate, title, right and possession of such person or persons as are seised of any Lands, Tenements, or Hereditaments, to the use, confidence or trust of any such person or persons, or Body politick, shall be deemed & adjudged to be in him or them that have such use, confidence or trust, of any such quality, manner, form and condition, as they had before in or to the use, confidence or trust that was in them.

IX. When divers persons are so seised to the use, confidence or trust of any of themselves, they amongst them that have such use or trust shall likewise have the seisin, estate and possession, in such quality, manner and condition, as they had the use or trust.

X. Howbeit, the right, title, &c. of all other (except of the persons so seised to any use or trust) is saved, and all former right, title, &c. is also saved to them.

XI. Where any be seised to any use or intent, that another shall have a yearly rent out of the same lands, *Cestuy que use* of the rent shall be deemed in the possession thereof, of like estate as he or she had that use, and shall distrain for non-payment of the said rent, and make Avowries, Conusances and Justifications, and use all other remedies therein, as if the said rent had been actually granted to such *Cestuy que use*.

XII. Where an estate is made in possession or use to husband and wife, and his heirs or the heirs of their two bodies, or of one of their bodies, or to them for their lives, or for the wife's life after her Joynture; in any of these cases she shall not have Dower. Howbeit, upon a lawfull eviction of that Jointure she shall be dowered according to the rate of her husband's lands whereof she was dowable.

XIII. Stat.

III. Such a Jointure being made after Marriage, the wife (after her husband's death) may refuse it, and betake her to her dower, unless such Jointure be made by Act of Parliament.

IV. Provided that this Act shall not extinguish, release, discharge or suspend any Statute, Recognisance, or other Bond, by the execution of any estate settled by force of this Act.

V. All Wills and Testaments heretofore made, or hereafter made before the first of May 1536. shall be good in law, in the same manner as they were commonly taken and used within 40 years before the making of this Act.

VI. The King shall not take advantage by occasion of the executing of any estate by authority of this Act, before the first of May 1536. viz. by having or demanding any *Primer seisin*, *Livery*, *Ouster le main*, Fine for alienation, Relief or Herriot: but after that time Fines for alienations, Reliefs and Herriots shall be paid to the King, and also Liveries and *Ouster le mains* shall be paid for uses, trusts and confidences, which shall be from thenceforth made and executed in possession by force of this Act; neither shall any other Lord demand or take any Fine, Relief or Herriot, by occasion of this Statute, before the first day of May 1536.

VII. This Act shall not be prejudicial to any person or persons born in *Wales*, or the *Marches* thereof, who have any estate therein executed by force of this Act in any lands in this Realm, nor to any other person now stands seised to their use: but such person or persons born there may lawfully have and keep all such lands by authority of this Act, according to the tenour thereof.

Of Usury.

*I. Stat. 37 H. 8. 9. None shall sell his wares or merchandize to any, and within three months after buy the same again at a lesser price, knowing them to be the same wares; or buy any corrupt bargain of wares, money, or other things; or buy any Mortgage of land, and take in gain, for giving day of payment, more than according to the rate of 10 *l. per centum* for one whole year: in pain to forfeit the treble value of the profits of such lands mortgaged, to be divided betwixt the King and the prosecutor, and besides to suffer imprisonment, and make fine at the King's will.

II. Stat. 13 El. 8. All Bonds, Contracts and Assurances upon Usury, in lending or doing any thing contrary to the Statute of 37 H. 8. 9. shall be void; and all Brokers and Solicitors thereof shall be adjudged and used as Counsellors, Attorneys, or Advocates, in the case of *Premunire*.

III. He that takes no more than after the rate of 10 *l. per cent.* or less, shall onely forfeit the interest, to be recovered and employed to the forfeitures of 37 H. 8. 9.

IV. Just-

IV. Justices of Oyer and Terminer, of Assize, and of Peace in their Circuits and Sessions, and Mayors, Sheriffs, and Bailiffs in Cities, have power to hear and determine all offences committed against 37 H. 8. 9.

V. The Statute of 37 H. 8. 9. shall be construed largely and strongly against the party offending by any way or device, directly or indirectly.

VI. This Act shall not extend to any allowances or payments for the finding of Orphans, according to the ancient rates in London, or of any other City, where order is taken for their custody and goods as in London.

VII. The offender against the Stat. of 37. H. 8. 9. may also be punished by the Ecclesiastical Laws.

VIII. Stat. 21 Jac. 17. None shall, upon any contract, directly or indirectly take for the loan of any money or other commodities above the rate of 8 l. per cent. for one whole year, in pain to forfeit the treble value of the money, or other things lent.

IX. No Scrivener, Broker or Solicitor, shall take or receive directly or indirectly for Brokage above the rate 5 s. for the loan of 100 l. for one whole year, nor above 12 d. for making a Bond, in pain to forfeit 20 l. to be divided betwixt the King and the prosecutor, and also to suffer 6 months imprisonment.

X. Stat. 82 Car. 2. cap. 13. None shall take directly or indirectly for the Loan of money, or any Commodities above the rate of 6 l. for the forbearance of 100 l. for a year, and so after that rate, all Bonds, Contracts, &c. whereupon more shall be reserved shall be void. They that receive more shall forfeit the treble value of the money or other things lent.

XI. Scriveners, Brokers, Solicitors, &c. that shall take for Brokage, directly or indirectly above the rate of 5 s. for the loan or forbearing of 100 l. or 12 d. for making a Bond, or Bill concerning the same shall forfeit 20 l. and have imprisonment for half a year: the one half of these forfeitures to be to the Kings, the other half to the prosecutor. Confirmed 13 Car. 2. cap. 14.

Wager of Law.

I. Magna Chart. NO Bailiff shall put any man to his oath 28. 9. H. 3. Law, or to an Oath, upon his own saying, without faithfull witnesses brought in for the same.

II. Stat. 37 E. 3. 5. Any man may wage his Law (by sufficient people of his condition) against Londoners papers, and the Clerk shall take surety otherwise, if he please; but shall not put the party to plead to the Enquest, unless he will so do of his own accord.

III. Stat.

Stat. 5 H. 4. 8. In Actions of debt upon arrears of an
feigning (to the intent to put the Defendants from their
that the same was found before their Apprentices or Ser-
as Auditors assigned therein, it shall be in the Judges dis-
upon examination of the Attorneys, (or whom else they
to receive the Defendants to their law, or to try the same
Request.

Wales.

I. *The second Volume of the Book of old Statutes is a long Act*
Anno 12 E. 5. entitled, Statuta Wallie, whereby is ap-
pareth, that Wales was then incorporated and united to England:
and there you shall also find many good Laws concerning the divi-
sion of Wales into Counties, Trials and division of Actions, toge-
ther with divers forms of Writs, and the proceeding thereupon
much like to the Laws of England. For all which see there that
is at large.

II. Stat. 28 E. 3. 2. All Lords of the Marches of *Wales* shall
be perpetually attending and annexed to the Crown of *England*,
as they and their Ancestors have been in times past, and not to
the Principality of *Wales*, in whose hands the same shall come.

III. Stat. 9 H. 4. 4. No Thief or Felon in *Wales* (openly
known) shall be suffered to disclaim out of the Seigniorie where
the Felony was committed; but such manner of disclaimer shall
be from henceforth utterly put out: and such Thieves shall be
to answer to Indictments and other accusations in the Seigni-
orie where they are taken, without being delivered by disclaim-
ing or Letters of Marque.

IV. Stat. 2 H. 5. Stat. 2. 5. If a *Welsh*-man, that doth forc-
ibly take and detain an *English*-man untill he be ransomed, will
not, upon process awarded against him by the Justices, appear
and answer the same untill he be Outlawed: the Justices shall
certifie the same under their seals to the Officers of the Seignio-
ries where such Outlaw is, who shall apprehend and do executi-
on upon him according to the Law. *But this is now altered by*
21 H. 8. 26. which see after.

V. Stat. 26 H. 4. 8. Forthwith upon the charge given to an
Esquest in *Wales*, or the Marches thereof, upon any travell a-
gainst the King, or trial of any Recognizance broken, or any for-
feiture due to the King, or upon trial of any Murtherer, Felon,
or accessory, an Officer or other person shall be deputed and
sworn in open Court for the true keeping of the Jurors, who
(without special order of the Court) shall not suffer them to have
bread, drink, meat, fire, or light, nor to speak to any person
whatsoever, nor shall speak to them himself, before they are a-
greed upon their Verdict, unless it be onely to ask them whether
or no they are agreed: and all this such Keeper shall ob-
serve,

serve, in pain to be imprisoned and fined at the discretion of the Court.

VI. Here, if the Jurors give any untrue Verdict against the King, contrary to good and pregnant evidence, or otherwise misdeemean themselves, the Lord President and Council (upon complaint thereof) have power to convent them before the Council, and to punish them at their discretions.

VII. *Stat. 26 H. 8. 6.* All persons dwelling in *Wales*, or the Marches thereof, upon warning of any Court to be kept within their respective Limits, shall appear there in proper person to do their service, in pain of such Fines, Forfeitures and Amercements, as shall be assessed upon them by the respective Courts where they owe such service, to be levied by distress, to the use of the King, within his Lordships there, & of other Lords Marchers within their

VIII. If any Steward or other Officer there do feign any false surmise against any person that shall so appear, as aforesaid, and thereupon commit him to prison, contrary to law, or to the Custom of that Lordship, the Commissioners or Council (upon complaint) have power to send for such Steward or Officer, and if upon good proof it be found that the party was so imprisoned without lawfull cause, they shall assess such Steward or Officer to pay him 6 s. 8 d. for every day of his imprisonment, or more at their discretions, as the damage shall deserve: the Commissioners shall also fine him to the King's use, whether he appear or not, and may compell him by imprisonment to pay such fines and penalties both to the King and the party grieved.

IX. None in *Wales*, or the Marches thereof, coming to any Sessions or Court there, shall bring or cause to be brought thither, or to any other place within two miles thereof, or to any Town, Church, Fair, Market, or other Congregation, except upon a Hue and Cry, unto the High-way, in affray of the peace of the King's people, any Bill, Long-bow, Cross-bow, Hand-gun, Sword, Staff, Dagger, Halbert, Morespike, Spear, or any other Weapon, privy Coat, or Armour, in pain to forfeit the same, unless it be by the command or license of the Justices, a Steward, or other Officer, or of the Commissioners or Council there.

X. None, without the Commissioners licence in writing, shall there, or in the Counties thereto adjoining, require or levy any *Commons Bydal*, Tenants Ale, or other Collection, or exact any money, goods, or other thing, under colour of marriage, or suffering of children laying or singing the first Masses, or Gospels of any Priest or Clerks, or for the Redemption of any Murther, or other Felony, or for any other cause whatsoever; or shall make or procure to be made any games of running, wrestling, leaping, or any other game, the game of shooting only excepted; in pain to suffer a years imprisonment, & to be fined at the discretion of the Commissioners, who shall by this Act have power to hear and determine the said offences: Neither shall any cast any Arriel in any Court there,

whereof it may be letted or discontinued at that time, in
to suffer a years imprisonment.

II. Courts in *Wales* and the Marches thereof shall be kept in
sure and peaceable places of each Lordship Marcher,
Justice, Steward or other Officer thereof shall appoint.

III. Justices of Peace and Gaol-delivery in the Counties next
to *Wales*, where the King's Writ runneth, may hear
determine the offences of counterfeiters, washers, clippers
ministers of Coin, and all Felonies, and their accessaries,
committed in *Wales* or the Marches thereof: And acquittal or
making for any of the said offences in any Lordship Marcher,
be no bar for any person or persons indicted for the same
two years next after such offence committed.

IV. The said Justices of Peace and Gaol-delivery have power
ward all manner of Process, as well of Outlawry as other-
against every such offendor, and shall send to the Lord or
of the Lordship where the offendor is resident a Certifi-
under the seals of two of them at least, of any such Outlaw-
Attainder, commanding him, under the pain of 100 *l.*
forfeited to the King, to apprehend, or cause to be appre-
the body of such offendor, and safely to keep him untill
convenient time, before the next Gaol-delivery of the Coun-
where he was so Outlawed, as shall be thought fit for his con-
thither; and then he shall be conveyed from Marcher to
by the Lords or Officers thereof, to the said next Sessi-
Gaol-delivery of the County where he was so Outlawed, as
said. And here, the Lords Marchers and Officers aforesaid,
whom he is so to be conveyed, shall not be negligent therein, in
forfeit (each of them for making default) 100 *l.* to be levied
the King's use. Also the said Lords or other Officers shall at the
Sessions make due return of such Certificate, upon the like pain.
And here, all traverses, challenges, exceptions, advantages, and
Pleas upon any such Outlawry, are saved to the offendor.

V. Here, an Offendor attainted of Felony as principal or
ary, upon Surety found for the good behaviour, may (for
one only, by the assent of the President and two Commis-
be discharged, and admitted to a Fine, to be levied for
King's use, so as no appeal be then depending against him
such offences.

VI. Provided, that this Act shall not extend to abridge the
of any Lords Marchers, unless such Offendor be Outlaw-
Attainted by force of this Act within two years after the
committed.

VII. All Felonies and their Accessaries committed in the Coun-
of *Merioneth* shall be inquired, heard and determined in the
of *Carnarvan* or *Anglesey*, before the Justice of North-
or his Deputy, by Enquest of *Carnarvan* and *Anglesey*,
otherwise, at the discretion of such Justice or his Deputy.

XVII. All Officers and their Deputies upon command of the Commissioners or Council shall bring, send or deliver every offender in Felony to the Officer of the Lordship Marcher, or other place where the offence was committed upon the bounds of the Lordship, or to the said Commissioners or Council, as such Officers shall be commanded, in pain of 40 l. which command shall be sent by a Serjeant at Arms, or a Pursivant, then attending upon the said Council.

XVIII. Stat. 27 H. 8. 7. All the King's Subjects and Friends may pass freely on horse-back or on foot, and with Cattel, Wares, or otherwise, through all or any of the Forests in Wales without payment of any unlawfull exactions, or suffering any other damage whatsoever: And no Forester or other shall commit any such offence, in pain to be tried for the same as Peacocks, before the Justices of Peace of the Shire adjoyning.

XIX. Cattel which stray into any Forest there, and are taken within a year and a day by the right owner, shall be delivered unto him upon demand: and if the Forester or Officer or Farmer there, refuse to re-deliver them, they shall be seised to such Owner double the value of such cattel, and he shall have an Action of *Detinue* for the recovery of them, to be tried in the County next adjoyning; in which Action like Process of Outlawry shall be had as in an Action of Trespas at the Common Law.

XX. Stat. 27 H. 8. 26. *Wales* shall be incorporated, united and annexed to and with *England*, and all persons born in *Wales* shall enjoy all Liberties as other Subjects in *England* do, and Lands shall descend there according to the *English* Laws, and not after the form of any *Welsh* Laws or Customs.

XXI. The Laws and Statutes of this Realm, and none other shall be had and used and executed in *Wales*, in like manner in this Realm, and as shall be farther declared by this Act.

XXII. Divers Lordships Marchers are united to *English* Counties, others to *Welsh* Counties, and the residue are divided into new particular Counties by themselves, viz. *Monmouth*, *Brecon*, *Radnor*, *Montgomery* and *Denbigh*.

XXIII. The County of *Monmouth* shall consist of these Lordships, Townships, Parishes, Commotes, and Cantredes, viz. *Monmouth*, *Chepstow*, *Maherne*, *Llanegangle*, *Magor*, *Goldcliff*, *Newpert*, *Wenlong*, *Llanwerne*, *Caerlion*, *Uske*, *Trelecke*, *Tinney*, *Skinfretth*, *Grousmount*, *Witecastle*, *Ragland*, *Calicote*, *Bispham*, *Bergawenny*, *Penrose*, *Greenfield*, *Maghen*, and *Hechyrstade*, which said places shall be hereafter guildable, and reputed parts and members of the County of *Monmouth*, whereof *Monmouth* shall be reputed the Shire-town: And the Sheriff of the County shall keep his County-Court at *Monmouth* and *Newport* alternis vicibus.

III. All Actions for Lands and other things may be laid in the County of *Monmouth*, and tried there by Assise *per iuratos* and *Venire facias*; and all other Proceſſes may be aſſigned thither by the Juſtices: Alſo the inhabitants there ſhall be ſubject to the King's Officers and Laws; and the Sheriffs and Eſcheators of that County ſhall perform their duties, and render account in the Exchequer, as is uſed in or for any other County of England.

IV. The Lordſhips, Towns, &c. to be reputed members of *Brecknockſhire*, ſhall be *Brecknock*, *Creckehowel*, *Tretoure*, *Pennarth*, *English Talgarth*, *Welſh Talgarth*, *Dians*, the *Hay*, *Gline-broyles*, *Canterbely*, *Lando*, *Blainlilby*, *Eſtrodeu*, *Buelibet*, *Lingras*: Alſo the Shire-Town ſhall be *Brecknock*, and the County-Court ſhall be kept there.

V. The Lordſhips, Towns, &c. of *Radnorſhire* ſhall be, *Radnor*, *Eliſpberman*, *Elvelles*, *Boughred*, *Glaſebury*, *Glaw-croſs*, *Mibelles Church*, *Meleneth*, *Blewagh*, *Knigh-ton*, *Norton*, *Commorbader*, *Rayder*, *Gwethronyon*, and *Stonage*: Here *New-Radnor* ſhall be the Shire-Town, and the County or County-Court ſhall be holden at *New-Radnor* and *Rothor-Gwy* in the ſame County, *alternis vicibus*.

VI. Thoſe of *Montgomeryſhire* ſhall be, *Montgomery*, *Maker*, *Cawryland*, *Arustely*, *Kiviliocke*, *Doythur*, *Powesland*, *Welſland*, *Baleſte*, *Tempceſter*, and *Alceſtre*: Whereof *Montgomery* ſhall be the Shire-Town, and the County-Court ſhall be holden there, and at *Maghenteth* in the ſame County, *alternis vicibus*.

VII. Thoſe of *Denbighſhire* ſhall be, *Denbyland*, *Ruthin*, *Kynlethowen*, *Bromfield*, *Yale*, *Chirk*, *Chickland*, *Molesworth*, and *Hopes-dale*: The Shire-Town alſo ſhall be *Denbigh*, and the County-Court ſhall be holden at *Denbigh*, and *Wrexham* in the ſaid County, *alternis vicibus*.

VIII. The King ſhall yearly appoint Sheriffs, Eſcheators, and other Officers Accomptants, for the Counties of *Brecknock*, *Radnor*, *Montgomery* and *Denbigh*, and ſhall have a Chancery and Exchequer at *Brecknock*, where the ſaid Officers of the Counties of *Brecknock* and *Radnor* ſhall yearly accompt before ſuch Auditor, Chamberlain and Baron, as the King ſhall appoint for that purpoſe. There ſhall be alſo another Chancery and Exchequer at *Denbigh*, where the ſaid Officers of the Counties of *Montgomery* and *Denbigh* ſhall alſo accompt before ſuch Auditors, Chamberlain and Baron, as aforeſaid.

IX. Juſtice ſhall be adminiſtered and executed in the Counties of *Brecknock*, *Radnor*, *Montgomery* and *Denbigh*, according to the Laws and Statutes of England, and ſuch other cuſtoms as are now uſed in *Wales* as the King and his Council ſhall allow: by ſuch Juſtice or Juſtices as ſhall be thereunto appointed by the King, and after ſuch manner as Juſtice is adminiſtered in the Counties of *North Wales*.

XXXI. In the Marches of *Wales* there shall be made guildable and annexed to the County of *Salop*; the Lordships, Towns, Parishes, Commotes, Hundreds and Cantredes, of *Oswestrie*, *Whetington*, *Masbroke*, *Knoking*, *Ellesmer*, *Down*, and *Cherbury* Hundred. Here also *Oswestrie*, *Whetington*, *Masbroke* and *Knoking* shall be known by the name of the Hundred of *Oswestrie*, and the Inhabitants thereof shall be attendant at Sessions, Assizes, Gaol-delivery, as the inhabitants of other Hundreds within the said County of *Salop* use to doe: Also *Ellesmer cum membris* shall be united to the Hundred of *Pimhill in Com. Salop*, and the inhabitants thereof shall be attendant as aforesaid: likewise the Lordship of *Down cum membris* shall be united to the Hundred of *Cherbury in Com. Salop*, and the inhabitants thereof shall be attendant as aforesaid. Howbeit, neither the said Hundreds of *Cherbury* nor *Oswestrie*, nor the Lordship of *Ellesmer* shall be hereby otherwise privileged than as Hundreds annexed to the County of *Salop*, as other Hundreds be within the said County.

XXXII. In like manner the Lordships, Towns, Hundreds, &c. annexed to the County of *Hereford* are, *Ewyas Lacy*, *Ewyas Harold*, *Clifford*, *Winsorton*, *Terdesley*, *Huntington*, *Whitney*, *Wigmore* and *Logharneis* and *Stepluton*. Whereof *Wigmore* and *Logharneis*, with their members, shall be called the Hundred of *Wigmore*; and *Ewyas Lacy*, cum membris, the Hundred of *Ewyas Lacy*; but *Ewyas Harold* shall be united to the Hundred of *Webtree in Com. Hereford*; and *Clifford*, *Winsorton*, *Terdesley*, *Whitney* and *Huntington*, shall be called the Hundred of *Huntington*. Here also the inhabitants shall be attendant at Sessions, Assizes and Gaol-delivery holden for the County of *Hereford* but these Lordships, &c. shall claim no privilege but as Hundreds or members of Hundreds of the same County.

XXXIII. Likewise the Lordships, Towns and Parishes *Wollaston*, *Tidman* and *Becheby*, and all Honours, Lordships, Castles, Lands, Tenements and Hereditaments, lying between *Chepstow-Bridge* and *Gloucestershire*, shall be annexed to the County of *Gloucester*, as part thereof, and shall be parcel of the Hundred of *Wesebury* in that County: Also the inhabitants thereof shall be attendant as aforesaid, and shall claim no privilege but as members of the Hundred of *Wesebury* aforesaid.

XXXIV *Gowerwilney*, *Bishops-town*, *Landaffe*, *Signithe pra*, *Signithe subtus*, *Mitkin*, *Ogmore*, *Glencothney*, *Tallageth*, *Ruchin*, *Tallavau*, *Lambelchion*, *Lantwid*, *Tyerial*, *Avon*, *Landway*, and the *Clays*, shall be guildable, and united to the County of *Glamorgan*; and justice shall be administered in *Glamorganshire*, (so united) according to the Laws of *England* (as in the three Counties of *North-wales*) and not according to the *Welsh* Laws.

XXV. *Llanembyery, Abermeles, Redwely, Elkenning, Corn-
wall, Newcastle, Emlin, and Abergothly*, shall be guildable, and
annexed to the County of *Caermarthen*; where also Justice shall
be Administred as aforesaid.

XXVI. *Haverford-west, Kilgaran, Lansteffan, Langbern,
Tellingbern, Walwincastle, Dewis-land, Lannibaddein,
Trefry, Herberth, Slebeche, Rosmarket, Castellon, and Land of
Llanore*, shall be guildable, and annexed to the County of *Pem-
broke*; wherein Justice shall be Administred as aforesaid.

XXVII. *Tregarn, Genarglin, Landwy and Ureny*, shall be
guildable, and united to the County of *Cardigan*; and there also
Justice shall be Administred as aforesaid.

XXVIII. *Mountway* shall be guildable, and annexed to the
County of *Merioneth* in *North-Wales*, as a Commote or part there-

XXXIX. All Justices, Commissioners, Sheriffs, Coronors, Es-
cheators, Stewards, and their Lieutenants, and all other Officers
and Ministers of Law, shall proclaim and keep Sessions, Courts,
Hundred, Leets, County-Courts, and all other Courts, in the
English tongue; and all Oaths of Officers, Juries and Enquests,
and all Affidavits, Verdicts, and Wagers of Law, shall be given
and done in the same tongue.

XL. None that use the *Welsh* language shall have or enjoy any
Office or Fees in any of the King's Dominions, but shall forfeit
them, unless he use the *English*.

XLI. The Sheriffs of *Monmouth, Brecknock, Radnor, Montgo-
mery and Denbigh*, shall put every unruly person under common
Mainprize, as the Sheriffs of the three Counties of *North-Wales*
are to doe.

XLII. The Sheriff of *Monmouth* shall certifie such Recogni-
tances common Mainprize, and Surety of Appearance, at every
Quarter-Sessions of that Countrey; and the persons so bailed shall
appear at the two Sessions holden at *Easter* and *Michaelmas*, un-
less they be relealed.

XLIII. The Sheriffs of *Brecknock, Radnor, Montgomery and
Denbigh*, shall certifie such Recognitances, &c. before such Jus-
tices as the King shall appoint, at every Sessions to be holden in
the said Counties.

XLIV. All persons under Bail for appearance in the County of
*Brecknock, Radnor, Montgomery, Denbigh, Glamorgan, Caermar-
then, Pembroke and Cardigan*, (either by the Sheriffs or Justices
of those Counties,) shall appear before the said Justices at every
Sessions, as is used in the three Counties of *North-Wales*.

XLV. The lay and Temporal Lords Marchers shall have the
Moiety of every such Recognizance forfeited within their respec-
tive Precincts, to be paid them by the Sheriff, (if he can levy
them;) who is also to Answer the other moiety to the King in
the Exchequer upon his account.

XLVI. The Lord Chancellor shall (forthwith after this Parliament) direct a Commission under the Great Seal for the division of the Counties of *Caermarthen, Pembroke, Cardigan, Monmouth, Brecknock, Radnor, Montgomery, Glamorgan* and *Denbigh*, into convenient Hundreds, to be returned into the Chancery, and there to remain of Record; which shall be of like force as an Act of Parliament.

XLVII. Commissions also shall issue forth to inquire after the *Welsh* Laws and Customs; and such of them as shall be thought fit (by the King and Council) to be continued shall stand and be in full force, notwithstanding this Act.

XLVIII. Two Knights for the County, and one Burgess for the Borough of *Monmouth*, shall be chosen to serve in Parliament.

XLIX. Also one Knight shall be chosen for each County of *Brecknock, Radnor, Montgomery* and *Denbigh*, and for every other County in *Wales*; and for every Borough, being a Shire-Town, (except the Shire-Town of *Merioneth*,) one Burgess.

L. The said Knights and Burgesses shall be elected, and enjoy like Privileges and Fees, as Knights and Burgesses of *England*. And the Knights Fees shall be levied of the Commons of each County; and those of the Burgesses, as well of the Shire-towns whereof they be Burgesses, and of all other ancient Boroughs within the said respective Counties.

LI. All Lords Marchers shall enjoy all such liberties, mises, and profits as they had, or used to have, at the first Entry into their lands in times past, notwithstanding this Act.

LII. The Laws and Customs of the three Counties of *North-Wales*, and of the County Palatine of *Lancaster*, are saved.

LIII. This Act shall not extend to derogate any other Act heretofore made for the trial of Treason, Murther, or Felony or accessaries thereunto, committed in any Lordship Marcher in *Wales*, or in any County of *England* next adjacent thereunto.

LIV. Lands by the Custom partable amongst males shall so continue, notwithstanding this Act.

LV. The King hath power (within three years) to suspend or repeal this Act; as also (within five years) to erect as many Courts (of Record or others, and to appoint as many Justices and other Officers in *Wales*, as he should think fit.

LVI. Stat. 33 H. 8. 13. *Hope, Asaph, Hawarden, Madesdale, Mereford* and *Osely*, shall be reputed to be within the County of *Flint*, as part thereof, and not in any other County. Howbeit, they shall pay their taxes with the Inhabitants of such Shire or Shires as hath been formerly accustomed.

LVII. Also *Hope, Madesdale, Mereford, Osely*, and *Hawarden*, shall be called the Hundred of *Madesdale* in the County of *Flint*; and *Asaph* shall be reputed parcel of the Hundred of *Rutland* in the same County.

VIII. Stat. 34 & 35 H. 8. 26. *Wales* shall be divided into twelve Counties, whereof eight were Ancient Counties, viz. *Merioneth, Caermarthen, Pembroke, Cardigan, Flint, Carnarvan, Anglesey*, and *Merioneth*; also four other were made by the Act of 27 H. 8. 26. viz. *Radnor, Brecknock, Montgomery* and *Denbigh*: besides the County of *Monmouth*, and divers Lordships added to the Counties of *Salop, Hereford*, and *Gloucester*.

LIX. The limitation of Hundreds, lately made within the said Counties by Commission out of the Chancery, and again returned thither, shall stand in force, except such of the same as have since altered by any Act, and shall be altered by this.

LX. There shall remain a President and Council in *Wales* and the Marches thereof, with Officers and incidents thereunto, as hath been used, which President and Council shall hear and determine such causes as shall be assigned to them by the King, as heretofore hath also been used.

LXI. Sessions shall be kept twice a year in the Countie, of *Merioneth, Brecknock, Radnor, Caermarthen, Pembroke, Cardigan, Montgomery, Denbigh, Carnarvan, Flint, Merioneth*, and *Anglesey*; which Sessions shall be called the King's great Sessions.

LXII. The Justices of *Chester* shall hold Sessions twice a year in the Counties of *Denbigh, Flint*, and *Montgomery*, for the old Fee of 100 l. per annum.

LXIII. The Justices of *North Wales* shall do the like in the Counties of *Carnarvan, Merioneth* and *Anglesey*, and shall have a Fee of 50 l. per annum.

LXIV. A person learned in the Law (to be appointed by the King) shall be Justice in the Counties of *Radnor, Brecknock*, and *Merioneth*, and shall likewise hold Sessions twice a year, and receive for his Fee 50 l. per annum.

LXV. Another such person (to be appointed as aforesaid) shall be Justice in the Counties of *Caermarthen, Pembroke* and *Cardigan*, and shall hold Sessions, and have Fee as aforesaid.

LXVI. The said Justices shall have Commissions under the Great Seal for their Offices, to be executed by themselves or their Clerks.

LXVII. These Justices may hold Pleas for the Crown, in as full a manner as the Lord Chief Justice or the other Justices of the Bench may do, and also Pleas of Assizes, and all other Pleas and Actions, real, personal and mixt, in as large manner as the Justice of the Common Pleas or the other Justices of that Court may do.

LXVIII. They shall also enquire, hear and determine all criminal offences whatsoever committed within their several limits, and administer common Justice to all the King's Subjects there, according to the Laws, Statutes and Customs of *England*, and to the present Ordinance.

LXIX. The said Sessions shall each of them hold six days, as hath been used in *North-Wales*; and notice thereof shall be given (by Proclamation) fifteen days (at least) before they keep the same.

LXX. Days shall be given in all Pleas, Plaints, Proceſſes, and Adjourningments from day to day, and from Sessions to Sessions, at the discretion of the said Justices, for the good and speedy Administration of the Justice.

LXXI. The seal for the three Counties of *North-Wales*, *Merioneth*, *Carnarvan*, and *Angleſey*, shall remain in the custody of the Chamberlain of *North-Wales*; the Seal of *Caermarthen*, *Pembroke*, and *Cardigan*, with the Chamberlain of *South-Wales*; that for *Brecknock*, *Radnor*, and *Glamorgan*, with the Steward and Chamberlain of *Brecknock*; that for *Denbigh* and *Montgomery*, with the Steward and Chamberlain of *Denbigh*; and the *Flint*, with the Chamberlain of *Cheſter*.

LXXII. The said Stewards and Chamberlains shall with their Seals seal all Original Writs and Proceſſes returnable before the Justices at the Sessions as aforesaid, and shall answer the process thereof to the King: But none of them, or any Chancellor, by occasion of keeping such Seals compell any person, inhabiting in any of the said 12 Shires, to appear before themselves or their Deputies, or hear and determine any pleas or causes whatsoever otherwise than as by this Ordinance is limited: And such Writs and Proceſſes shall be returned before the said Justices, as hath been used before the Justices of *North-Wales*.

LXXIII. All that shall be Stewards; Chamberlains or Clerks within any of the said twelve Shires, having Offices of Receipt, Collection or Account of any of the King's Rents, Revenues or profits there, may direct Proceſſes under the said Seal (being in their charge) within the limits of their Authorities against Bailiffs, Reeves, Farmers, and other Ministers Accomptant, to appear before themselves for any such Rents, Revenues, Farms, profits, as hath been heretofore used: but for nothing else to any other person.

LXXIV. The Stewards also may hold Leets, Law-days, Court-Barons of Lordships whereof they are Stewards, and Pleas by plaint under forty shillings in every such Court-Baron, and have and enjoy all Authorities and profits thereunto belonging, notwithstanding any Law or Custom in *Wales* to the contrary. Howbeit, neither they nor Sheriffs shall have power to enquire of Felonies in any such Leet, Law-day, or Turn: nor shall they keep any Leet or Law-day, but at such places where they were used to be kept before the Statute of 26 H. 4. c. 14. the place be convenient for the keeping of such Courts.

XXV. Mayors, Bailiffs and Head Officers of Corporate Towns in *Wales*, may hold Pleas and determine Actions, so as they observe the *Laws of England*, and not *Welsh* Laws or Customs. They may also try issues by six men, (as in divers places is then used,) notwithstanding this Act.

XXVI. The King may within seven years dissolve Boroughs in *Wales*, and erect others there by his Letters Patents.

XXVII. Officers certain Fees (appearing in the King's Letters Patents) shall continue, but not their casual Fees, claimed by colour of their Offices; any custom in *Wales* or this Act to the contrary notwithstanding.

XXVIII. Each Justice shall also have a judicial Seal to seal Bills and judicial Processes sued before them in the Sessions; one of the first shall remain with the Justice of *Chester*, for *Flint*, *Merioneth* and *Montgomery*; the second with the Justice of *North Wales*; the third with the Justice of *Glamorgan*, *Brecknock* and *Cardigan*; and the fourth with the Justice of *Pembroke*, *Caermarthen* and *Cardigan*. Also every such Justice shall account and render to the King the profits of the Seal in his custody, as shall hereafter be declared. And the *Teste* of every Bill and Process shall be under such Seal shall be under the name of the Justice who signeth it out, as is used in the Common Pleas in *England*.

XXIX. All Actions real and mixt, Attaints, Conspiracies, *Assumpsit*, *Quare impedit*, Appeals of Murther and Felony, and all Actions grounded upon any Statute, shall be sued by Original sealed with the Original Seal, and returnable before the Justice at their Sessions: but all personal Actions, as debt, detinue, trespass, account, and the like, amounting to the sum of *10 s.* or above, shall be sued by such Writs Original, or by Bills, at the election of the Plaintiff, as is used in *North-Wales*.

XXX. All personal Actions under the sum of forty shillings shall be sued by Original Bill, (as is also used in *North Wales*) and sealed by the judicial Seal remaining in the custody of the Justice.

XXXI. The Fee for sealing every Original Writ upon the Bills aforesaid, and for every Bill in Actions personal, (when the debt and damages amount to *40 s.* or above,) is *6 d.* and for every judicial Process sued upon any such Original Writ or Bill, whereof the King shall have *6 d.* and the Justice one penny: and for every Bill in personal Actions, when the debt and damages amount not to *40 s.* and for every judicial Process to be sued upon the same, *3 d.* whereof the King is to have *2 d.* and the Justice one penny.

XXXII. All Writs of *Scire facias* and Writs of *Good abearing* the Peace, or Writs of *Superfedeas* upon the same, and all Processes sued before the Justices upon any Record or Sugession, shall be sealed with the judicial Seal, for which the Plaintiff shall pay *7 d.* whereof the King is to have *6 d.* and the Justice one penny.

LXXXIII. Every Exemplification upon any Record sealed by the judicial Seal, for which the Plaintiff shall pay whereof the King is to have 16 *d.* and the Justice 4 *d.*

LXXXIV. Recoveries and Fines, Concords, and Warrants Attorney for the same, may be taken before the said Justices lands, tenements and hereditaments within their authority, force of their general Commission, without any *Dedimus*, used before the chief Justice of the Common Pleas.

LXXXV. All Fines levied before any of the Justices with proclamation made the same Sessions they shall be engrossed, and two other great Sessions then next following, shall be of the same force as Fines levied with Proclamations before the Justices of the Common Pleas.

LXXXVI. Every person suing Writs of Entry in the King's Bench, Writs of Covenant, or any other Writs for any Recovery of land had, (by assent or otherwise) or for any Fine to be levied, shall pay Fines to the King's use for the same, (as well Fines *pro concordandi*, as all other Fines,) as is used in Chancery, or elsewhere in the King's Courts of *England*; which Fines shall be paid to such persons as shall seal the Original Writs for that purpose, who shall account for the same, as they do for the profits of the said Original Seal.

LXXXVII. Also the King's silver (upon every such Fine) shall be paid as is used in the Common Pleas of *England*, viz. 2 *d.* shall be received by the Justices before whom such Fine is levied, whereof the King shall have 16 *d.* the Prothonotary for count it 2 *d.* and the Justice the rest, who shall account for the same for profit, as he doth for the profits of the judicial Seal.

LXXXVIII. The four said Justices shall have each of them a Prothonotary to attend upon them, for the entering of all Process and matters of Record in Sessions, to be holden before the said Justices.

LXXXIX. There shall be a Marshal and a Crier in every Circuit, to be named by the said Justices, as Justices of *England* use to do; which Officers shall attend upon the said Justices in their Circuits in proper person, and not by Deputy.

XC. The Marshal shall have upon every Judgment and Fine 4 *d.* and the Crier 1 *d.* And the like Fees shall be paid upon the acquittal of Felons, and of such as be delivered by Proclamation, or out of Common mainprize.

XCI. Here also are set down the Fees that the Prothonotaries shall take for Writs, Entries, Judgments, &c. For which see the Statute at large.

XCII. The King shall have all Fines, Issues, Amerciaments, Recognisances forfeited, which the Prothonotaries shall yearly streight into the Exchequer appointed for that limit, that Prison may be awarded to the Sheriff to levy them for the King's use, which Sheriff shall yearly account before the King's Auditor of the same be thereunto assigned.

XCIII. Besides the President, Council and Justices aforesaid, there shall be Justices of Peace and *Quorum*, and also one *Custor* or *Recorder*, in every of the said 12 Counties, who shall be appointed by the Chancellor of *England* by commission under the Great Seal, with the advice of the President, Council and Justices aforesaid, or three of them, whereof the President to be one.

XCIV. There shall not be more than 8 Justices of Peace in any of the said 12 Shires, besides the President, Council and Justices aforesaid, and the King's Attorney and Solicitor; all which persons shall be also put in every such Commission.

XCV. These Justices of Peace shall be of good name and fame, and may exercise their Office, albeit they have not 20 *l. per ann.* but he not learned in the Law: but before they shall execute the Commission, they shall take such Oath as Justices of Peace in *England* use to take, before the Chancellor of *England*, or before the President or one of the same Justices of *Wales* by the President, or before some other to be appointed by the Lord Chancellor for the purpose.

XCVI. The said Justices of Peace, or two of them at least, shall keep their Sessions four times in the year, and at other times also upon urgent cases, as Justices of Peace in *England* use to doe, for which they shall also have such allowances for themselves and their Clerks as the Justices in *England* have.

XCVII. Here, the Fee for a Warrant of the Peace or good keeping is 6 *d.* for entring of Pledges to pay the King a Fine upon Indictment 9 *d.* and if it be with Protestation 12 *d.* for a *Warrant* 8 *d.* and for a Recognizance 12 *d.*

XCVIII. These Justices of Peace shall certifie Recognizances taken before any of them for the peace and good abearing into their Sessions: but Recognizances taken before them for suspicion of Felony shall be certified before the Justices at the next Sessions, without concealing them, upon such penalties as shall be therefore ordained.

XCIX. All Fines and Amerciaments lost before the Justices of Peace shall be asserted by two of them at least, (1 *Qu.*) and shall be set without partiality.

C. All such Fines and Amerciaments, as also all Issues lost, and Recognizances, and other forfeitures before the said Justices of Peace, shall be yearly estreated by the Clerks of the Peace to the Exchequer appointed for that limit; to the end that the same may be thereupon awarded for the levying of them for the King's use to the Sheriff of every County, who shall account for the same to such Auditors as shall be thereto assigned, which Auditors shall make due allowance unto the Sheriffs upon their accounts, for the Fees of the Justices and Clerks of the Peace, as is used in *England*.

CI. The

CL. The President, Council and Justices of *Wales*, or three of them at least, (whereof the President to be one) shall yearly nominate three able persons in every of the said twelve Shires to be Sheriffs thereof, and shall certifie their names to the Lords of the Priy Council *Craft. Animarum*, to the end the King may appoint one of them in every of the said Shires to be the Sheriff that year, like as is used in *England*: And thereupon the said Sheriffs shall have their Patents under the Great Seal of *England*, and shall make Oath and acknowledge Recognizances before the President and Justices, or one of them, by a *Dedimus*, for the due execution of their Offices, and for their just accompt before the King's Auditors assigned for *Wales*.

CII. The said Sheriffs have power to use their Offices as Sheriffs of *England* do; shall be observant to all lawfull commands and precepts of the President, Council, Justices of *Wales*, Justices of Peace, Escheators and Coroners, and every of them, in all things appertaining to their Offices; shall yearly accompt to the Auditor or Auditors assigned by the King for *Wales*; and shall each of them have yearly for his Fee 5 *l*.

CIII. All Officers and other persons in *Wales* shall be obedient, attendant and assisting to the President, Council and Justices of *Wales*, and shall obey the King's commands and process from any of them directed, and all lawfull and reasonable precepts of them and every of them; and also shall be obedient to all Justices of Peace, Sheriffs and Escheators, within their several limits in all things appertaining to their duties and Offices.

CIV. Also Escheators shall be named in every of the said Counties by the Treasurer of *England*, with the advice of the President, Council, or three of them, whereof the President to be one; which Escheators shall make Oaths and acknowledge Recognizances before the President, or one of the Justices, by a *Dedimus*, for the due execution of their Offices, and for their true accompt before the King's Auditor or Auditors, to be assigned for that purpose; which Oath and Recognizance shall be agreeable to those used for Escheators in *England*.

CV. Such Escheators shall yearly have their Patents under the Great Seal, and shall exercise their Offices as Escheators in *England*, and shall be bound to all Laws and Statutes of *England*. But they need not have above 5 *l*. per annum Free-hold, and shall account yearly before such Auditor or Auditors as the King shall assign for *Wales*.

CVI. There shall be also two Coroners elected for each of the said twelve Shires, by the Writ *De Coronatore eligenda*, awarded out of the Chancery of *England*; which Coroners shall exercise their Offices, and have like Fees as in *England*: Onely the Writ *de Cor. elig.* for the County of *Flin* shall be directed out of the Exchequer of *Chester*.

VII. The Justices of Peace, or two of them, (1 Qu.) shall be in every Hundred (within their limits) two substantial Men or Yeomen to be chief Constables of the Hundred where they dwell, who shall preserve the Peace, and use their Office, and be bound in all things, as High Constables in *England*.

VIII. The Sheriff shall have a Gaol in a place of the Castle or Shire-town, or such other convenient place as by the President, Council and Justices, or three of them, (whereof the President to be one) shall be appointed, any Patent or Grant notwithstanding. The Sheriff also shall make Bailiffs of the Hundred, who shall attend upon the Justices at their Courts and Sessions.

IX. Sheriffs shall keep their Counties monthly, and their Hundred Courts for Pleas under 40 s. and shall take for entering pleas, process, pleas and judgments there as is used in *England*, and not above. Also all Trials in such Courts, as before Stewards in Court-Barons, shall be by the Wager of Law, or verdict of twelve men, at the election of the party, Plaintiff or Defendant, who pleads the plea.

X. Sheriffs shall hold their Turns yearly after *Easter* and *Michaelmas*, as is used in *England*.

XI. The King shall have all Fines, Issues, Amerciaments and Treasures lost in the said Courts and Turn, to his own use, and the Sheriff shall account for the same accordingly, having been first taxed by the Justices of Assize of that Circuit before they be levied, and the Sheriff shall not levy them before they be so offered in pain to forfeit to the King 40 s. Also the Sheriff upon every Judgment in his County or Hundred-Court may award a *Capias ad satisfaciendum*, or a *Fieri facias*, at the election of the Sheriff.

XII. Certain Fees which the Sheriff is to have for the return and Execution of divers Writs. *For which see the Stat. at large.*

XIII. Every Sheriff within his limit may put suspicious persons under common mainprize, according to the Statute of 37 Ed. 1. 26. (which see before,) binding them with two sufficient sureties by recognisance to appear before the Justices at the next Sessions, and shall then also certify the names of the parties bound, without concealment.

XIV. The Sheriff's Fee for taking such common mainprize is 4 s. but he shall take no Fee for the return of any Writ of execution, unless he return the same executed.

XV. The Fees of Sheriffs, Escheators and Coronors, and Ministers, Prothonotaries, and their Clerks, and other Ministers of Justice in *Wales*, shall be rated, augmented and diminished, by the President, Council, and Justices, or by three of them, whereof the President to be one, from time to time at their directions.

CXVI. None for Murther or Felony shall be put to his death but suffer according to the Laws of *England*, except it please the King to pardon him: And if the Justices see cause of pity, or other consideration they may reprieve the prisoner, till they have advertised the King of the matter.

CXVII. The Statute of the 26 H. 8. 6. (*which see before*) confirmed, notwithstanding this Act, and from henceforth to be put in execution.

CXVIII. *Abertannad*, heretofore reputed parcel of the County of *Merioneth*, shall now be annexed to *Salop*, and be reputed parcel of the Hundred of *Oswestry*.

CXIX. If any foreign Plea or Voucher be pleaded or made before any of the Justices of *Wales*, triable in any other County of *Wales*; in this case, the said Justice shall send the King's Writ with a transcript of the Record, unto the Justice of the County where the matter is triable, commanding him to proceed to trial thereof according to Law; which trial being had, he shall remand it with the whole Record unto the Justice that sent him, who thereupon shall proceed to Judgment, as the cause shall require. But if such Plea or Voucher be triable in *England*, the Justice of *Wales*, before whom they are pleaded or made, shall proceed to trial thereof in such County of *Wales* whereby they are so pleaded or made, such foreign Plea or Voucher notwithstanding.

CXX. All Lands, Tenements and Hereditaments in *Wales*, and in the Lordships and places annexed (by the Statute of 27 H. 8. 2.) to the Counties of *Salop*, *Hereford*, *Gloucester*, or any other Shires, shall be *English* tenure, and not partable amongst the *Wales*, according to the Custom of *Gavelkind*.

CXXI. No Mortgages of Lands, &c. made in any of the Counties or places, shall be hereafter allowed or admitted otherwise than after the course of the Common Law and Statutes of *England*.

CXXII. It shall be lawfull for all persons to alien their Lands, &c. in *Wales*, the County of *Monmouth*, and other places annexed as aforesaid, from them and their heirs to any person or persons fee-simple, fee-tail, for life, or years according to the Laws of *England*, notwithstanding any *Welsh* Law or custom to the contrary.

CXXIII. If any person having lands in *Wales* be bound in *England* by a Statute Staple or Recognisance, and pay not the debt accordingly; in such cases, upon Certificate into the Chancery of *England*, Processes shall be made to the Sheriffs of *Wales* out of the said Chancery, for the due levying of the said debt as is used in *England*; Howbeit, for such Recognisances as are taken at the King's Bench or Common Pleas of *England*, Processes shall be pursued immediately from the Justices of the said Courts, as in *England* is also used.

V. All such Writs, Bills, Plaints, Pleas, Process, Chancery and Trials, shall be used throughout all the Shires afore-
said, as are used in *North-Wales*, or as shall be devised by the Pre-
sident, Council, and Justices, or three of them, whereof the Presi-
dent shall be one.

VI. Where there shall be some suits in Pleas personal
which cannot be well tried before the Justices in the great Sessions,
for want of time, such issues may be tried at the petty Ses-
sions before the Deputy Justices, as is used in the three Counties of
Wales; save onely for such suits as by the discretion of the
Justices shall be necessary to be tried before themselves:
And there shall be no suit taken before any of the said Jus-
tices by Bill, under the sum of 2c s.

XVI. No other liberties, franchises or customs shall be used
in any Lordship which was anciently part of *Wales*,
wherever be owner or owners thereof,) but onely such as be
of the Lord's thereof by force of the Statute of 27 H. 8, 26.
And altered by this Act, notwithstanding the Stat. of 32 H. 8.
which see in Franchises.

XVII. If any murther or felony be committed in *Wales*,
any or parties grieved shall make no agreement with the
felon, or with any other in his behalf, unless he first acquaint
the President, Cotuncil or Justices therewith, in pain of imprison-
ment and grievous Fine at the discretion of the President, Coun-
cil, Justices, or two of them, whereof the President to be
one: And the like punishment also they shall incur that labour or
fine for such agreement, although it never take effect.

XVIII. If any person, or they whose estate he hath, have
anyable possession of Lands in *Wales* by the space of five years,
without interruption or lawfull claim, such person shall continue
in possession, unill they be recovered from him by law, or decree of
the President or Council there.

XIX. If in personal Actions pursued before the Justices nine
of the Jury being sworn, and the residue make default, or be tried
in that case the Sheriff may return other names *de circum-*
stances, unill the Jury be full as is used in *North-Wales* and else-
where in such cases.

XX. No sale of goods or cattle stollen in *Wales*, and sold in
any Fair or Market there, shall alter the property thereof, such
notwithstanding.

XXI. No person shall buy any quick cattle in *Wales* out of
any Fair or Market, unless he can produce credible witness of the
place, and time, of whom, where, and when he so bought
the same, in pain of such punishment and fine as shall be set by
the President and Council, or any of the Justices in his Circuit,
to answer it at his farther peril.

CXXXII. If any Goods or Cattle be stolen in *Wales*, the same shall be followed from Town to Town and Lordship to Lordship, according to the Laws and Customs heretofore used in *Wales*, upon such penalty as hath been heretofore accustomed.

CXXXIII. Any man (being a Free-holder) may pass upon Jury in all causes both criminal and civil, attaint onely excepted, saving to every man his lawfull challenge, according to the Law of *England*: Howbeit, none shall pass in attaint, unless he be Free-hold of 40 s. per annum.

CXXXIV. Tenants and residents in *Wales*, shall pay their Tithes at the change of their Lords in such places, and after the same form, as hath been accustomed in *Wales*.

CXXXV. The King's Subjects in *Wales* shall find at the Parliaments in *England* Knights for the Counties, and Citizens and Burgeses for the Cities and Towns, to be chosen by the King's Writ, according to the Statute of 27 H. 8. 26. and shall also be chargeable to all Subsidies, and other charges granted by the Commons of the said Parliaments, and pay all other rents, customs and duties to the King, as hath been accustomed, from the redemption of Sessions onely excepted, which the King is pleased to remit.

CXXXVI. *Haverford-west* shall find one Burgess for the Town, whose charges shall be born by the Mayor, Burgess and Inhabitants of the said Town, and by none other.

CXXXVII. The King shall have all Felons goods, goods of persons Outlawed, Waifs, Estrays, and all other Forfeitures, Escheats, and shall be answered thereof by the Sheriffs; saving the right of all others having lawfull title thereto.

CXXXVIII. Errors and Judgments before any of the Justices in their great Sessions, in Pleas real and mixt, shall be redressed by Writ of Error, out of the Chancery of *England*, returnable before the Justices of the Common Pleas, as other Writs of Error are in *England*; but Errors in Pleas personal shall be reformed by the President and Council: and if the Judgment be found to be good in any of the said Writs or Bill, then there to make execution and all other process thereupon as is used in the King's Bench of *England*; and the Plaintiff in every such Writ or Bill to pay for the same like Fees as is used in *England*.

CXXXIX. No execution of any Judgment given in any Court shall be stayed by reason of any Writ of false Judgment; but execution may be had at all times before the reversal of the Judgment; and if such Judgment shall after be reversed, the Plaintiff shall be restored to what he hath lost by such Judgment.

CXL. All process for urgent and weighty causes shall be directed into *Wales* by the Chancellor of *England*, or any of the King's Council, as heretofore hath been used, notwithstanding the Statute in that behalf made.

CLII. The Town of *Bewdly* in the Parish of *Ribsford* in *Wigorn*, is made parcel of the County of *Wigorn*, and united to the Hundred of *Dodingtree* in that County; saving to the Town and inhabitants of *Bewdly* their ancient liberties and franchises.

CLIII. *Llanstiffan*, *Usterlois* and *Langham*, with their members, are united to the County of *Caermarthen*, and made parcel of the Hundred of *Derreis* in that County.

CLIV. The Shire-court of the County of *Radnor* shall be holden one time at *New-Radnor*, and another time at *Preston*, *vicibus*, and never at *Rother-Guy*, notwithstanding the Statute of 27 H. 8. 26.

CLV. The King's Farmer of the Subsidy and Aulnage of *Wales* shall take for sealing such Cloths as followeth: for every whole piece of Frise 1 d. a half-piece *ob.* a piece of *Wales* or lining (24 yards and under) *ob.* a piece of the same (above 24 yards) 1 d. a broad cloth 1 d. a piece of Kersey (18 yards or above) 1 d. and for a piece of Kersey (under 18 yards) *ob.* but this shall not extend to cloth made in private houses, and not put to sale, but to their servants.

CLVI. The Aulnager in *Wales* shall be bound and subject to the laws and customs of *England* in like case provided.

CLVII. The Town of *Haverford-west* is made a County of *Pembroke*, whose Justice shall be the Justice of the County of *Pembroke*, and the judicial Seal of *Pembrokeshire* shall be also used there, with divers other privileges: For which see the Statute at large. Howbeit, this Article was but to continue in force during the King's pleasure.

CLVIII. This Act shall not be prejudicial to any man's inheritance, nor to any of the King's Officers for their Offices or Fees.

CLIX. No land in *Wales* shall be Gavel-kind, but descendent according to the course of Common Law.

CLX. All Liberties of the Duchy of *Lancaster* shall continue as they were before the making of this Act.

Stat. 1 & 2 P. M. 15. As well Spiritual Lords Marchers and their Successors, as the Heirs and Successors of Temporal Lords Marchers, now being, or which shall hereafter be Lords Marchers of Lordships Royal in *Wales* shall have and enjoy the Half of every forfeiture of every common mainprise, recognised for the year, or appearance, forfeited by their Tenants in any of their Lordships Marchers or Lordships Marchers, to be paid the same by the Sheriff of the County for the same being, as the Lay or Temporal Lords Marchers have (or ought to have) been paid the same by force of the Statute of 27 H. 8. And also all such mises, profits and liberties as the Lords Marchers Spiritual and Temporal have respectively used in time past to enjoy, before the making of the said Statute.

CLL. Stat. 18 El. 8. The Queen and her Heirs and Successors may (at her and their pleasure) name and appoint two or more persons learned in the Law, to be Justices in each of the Circuits in *Wales* which had but one Justice before, or may grant Commission of Association to such person or persons to be associate to the Justice or Justices of the said Circuits, who shall have like authority and power as the one Justice had by the Stat. of 34 & 35 H. 8.

CLII. Stat. 27 El. 9. All Fines and Recoveries taken or suffered in the Courts of Assizes or Sessions of the 12 Shires of *Wales*, the Town and County of *Haverford West*, and the Counties Palatines of *Chester*, *Lancaster* and *Duresm*, and in every of them, and all Writs, Returns, Warrants and other proceedings concerning the same, now remaining, or which hereafter shall remain in the said Courts or Sessions, or in any of them, or in the custody of any of the Officers there, may (upon the request and the election of any person) be inrolled in Rolls of Parchment, by such persons and for such considerations as are hereafter expressed; and such Inrolment, shall be as good in force of Law (in so much as shall be so inrolled) as the same so remaining are ought to be.

CLIII. No Fines, Proclamations, or Recoveries there, shall be reversible by Writ of Error for false Latine, rasure, interlining, mis-entring of any Warrant of Attorney, or of any Proclamation mis-returning or not returning of the Sheriff, or other want of form in words, and not in matter of substance.

CLIV. The person there that shall hereafter take the acknowledgment of any Fine, or any Warrant of Attorney, of any Tenant of Vouchee for suffering any Recovery, or shall certify them or any of them, shall, with the certificate of the Concord or Warrant of Attorney, certify also the day and year wherein the same was acknowledged; but shall not be enforced to certify them, except within the year next after they were taken: And no Clerk or Officer there shall receive any Writ of Covenant, Writ of Entry, or other Writ whereupon any Fine or Recovery is to pass, unless the day of acknowledgment thereof shall appear by such certificate in pain of forfeiture.

CLV. No Attornment upon any Fine there shall be entred upon Record, except the party mentioned to attorn have first appeared in Court in person or by Attorney, warranted by the hand of one of the Justices of the same Court, upon any Writ of *Quid iudicat*, *Quem redditum reddit*, or *Per que servitia*, as the law requireth: And every Attornment otherwise entred shall be void without Writ of Error or other means to avoid it.

CLVI. There shall be in the said places an Office of Inrolments erected to continue for ever, for the inrolling of Fines and Recoveries, as aforesaid; and the Justices there shall (within their several limits) enjoy the said Office and the disposition thereof, and carefully see to the execution of the same, by the due continuation of such Enrolments, and for their pains and care therein.

ertain Fees allowed them: For which see the Statute at

Unto every Roll by any Justice so examined he is to
his hand, in pain of 40 s. And any of the said Justices
order in all things needfull for the said Inrolment, and
may in the said Courts assess such Fines and A-
on any Clerk, Sheriff, Attornies or other person, for
contempt or negligence, in any thing concerning such
Recoveries, as to them or any one of them shall seem:
Fines and Amerciaments shall be estreated as others use to be
the said Courts.

III. The Exemplification of any such Record of any Fine
thereof, or any part thereof, (in the said twelve Shires
and the Town of *Haverford-west*.) under the Judicial Seal,
the said Countiees Palatine) under the Seal of the respective
Palatine, shall be of as good force as the Original Record it

IX. The Justices Clerks may write out and inroll the said Re-
but shall not carry them out of their Offices.

X. No Fine or Recovery heretofore levied or suffered shall
Exemplification be amended.

II. This Act shall not prejudice the heirs of Sir *Edward Gray*
Lord *Powis*, or Sir *Edward Herbert* Knight, his heirs or
or *Henry Vernor* or *John Vernor* Esquires, their heirs or
concerning any Fine levied, or Recovery suffered, by or
the said Lord *Powis* of Lands in the Countie of *Montgomery*;
Henry now Earl of *Kent*, concerning any lands in *Wales*
he pretends title.

Walsingham.

Stat. 23 H. 8. 13. The demesne Lands in *Walsingham*, be-
to the late Priory there, may be let by Copy, and shall here-
Copy-holds.

Wapping-Marsh.

Stat. 35 H. 8. 9. An Act for the Partition of *Wapping*-

The

Wards

Wards.

I. *Marlb.* 17. 52 *H.* 3. Guardians in focage shall make waste, sale or destruction of the heir's Inheritance, but safely the same to the use of the heir; and when he cometh to age answer him the issues thereof by lawfull account, saving their reasonable costs: neither shall such Guardians sell the Marriage of heir, but to his advantage; and the Kinsfolk that have such (from the time that Writs of impleading have not been granted which seems to be by *Magna Charta* 27.) shall have such ship to the heir's advantage, without making waste, sale or destruction as afore said.

II. *Test.* 1. 21. 3 *Ed.* 1. Guardians shall keep the Land Wards without destruction, according to *Magna Charta*, so also Archbishopricks, Bishopricks, Abbacies, Churches, and all Spiritual Dignities be kept in time of vacation.

III. *Test.* 2. 35. 13 *Ed.* 1. The Ward of an heir that holds focage, if the land descended on the Mother's side, belongs to the next Friend on the Father's side, & *contra*.

V. *tit.* Tenures. *Stat.* 11, 12; For taking away Wardships,

Wares.

I. *Stat.* 5 *El.* 7. None shall bring or cause to be brought into this Realm from beyond Sea any Girdles, Harness for girdles, piers, Daggers, Knives, Hilts, Pummels, Locketts, Chapes, Blades, Handles, Scabbards; or Sheaths for Knives, Saddles, Harness, Stirrups, Bits, Gloves, Points, Leather-laces, or being ready wrought beyond Sea, to be sold, barrered or exchanged in this Realm or Wales, in pain to forfeit the same or the value thereof, to be divided betwixt the Queen and the prosecutor.

Warranty.

I. Statute of Bigamy, 6. 4 *E.* 1. In deeds containing *Donatio concessi tale tenementum*, without homage, or any clause of Warranty and to be holden of the donors, and their heirs by a certain vice; in this case the donors and their heirs are bound to Warranty: But where the Deed is *Dedi & concessi, &c.* to be holden of the chief Lord of the fee, or of other, and not of the donor and their heirs, reserving no service, and without homage or the afore said clause; here the Feoffor's heirs shall not be bound to Warranty: howbeit, the Feoffor himself during his life (by force of his own gift) is bound to warranty.

Statute of Gloucester. 36 E. 1. Where Tenant by the feoffment alien his Wife's land, his son (having no *Assets* by descent) shall be barred to recover the land by a Writ of *Mortd'ancestor* for the feisin of his Mother, albeit his Father's Deed mentioneth, he and his heirs shall be bound to warranty: but in case any descend to the heir of his Father's side, he shall be barred for the Inheritance so descended.

Also, if afterwards any Inheritance descend to him by the Father, the Tenant shall recover against him of the feisin of the Mother, by a judicial Writ to be issued out of the Rolls of the Court before whom the Plea was pleaded, to resummon his warranty, which hath been heretofore used in cases where the Warrantor is *tenens per descent* from him by whose Deed he is vouched.

likewise the issue of the son may recover by Writ of *Consuetudine* and *Besayel*: neither shall the heir of the Wife be barred in Action, after the death of his Father and Mother, by Writ of *Assize*, for land which his Father did alien in the time of his life, whereof no fine is levied in the King's Court.

War.

Stat. 1 E. 3. 7. Whereas Commissioners have heretofore taken men of Arms, and conveyed them to the King of Scotland, France, and elsewhere, at the charge of the Shires, whereby the shires have been much impoverished; the King wills, that shall be so no more.

Stat. 18 E. 3. 7. Men of Arms, Hoblers and Archers, chosen into the King's service out of England, shall be at the King's charge from the day they depart out of the Countries where they are till their return.

Stat. 25 E. 3. Stat. 5. 8. None shall be constrained to find men of Arms, Hoblers or Archers, but by tenure of land or grant of the King.

Stat. 4 H. 4. 13. The Statutes of 1 E. 3. 7. 18 E. 3. 7. and 3. Stat. 5. 8. shall be holden in all points; yet so as Lords and Knights that have lands in Wales, or the Marches thereof, or hold lands of the King by Escuage or other service, shall in no wise be excused from service and devoirs due to the King for their lands, fees, pensions, or other profits.

Stat. 11 H. 7. 18. Every person in England and Wales, having Office, Fee or Annuity of the King's grant, shall personally appear upon him, when he goes himself in person in the Wars, (unless he have the King's licence, or be letted upon some just cause well proved) in pain to forfeit such Office, Fee and Annuity. Howbeit, this shall not extend to any Spiritual person, the Master of the Hospital, or other Officer or Clerk of the Chancery, Justices of either

Bench, Barons of the Exchequer, or other Officers or the said places, the King's Attorney or Solicitor, Serjeants or any of the King's Officers in *Berwick* or *Carlisle*, or the King's Council. See also another Statute to the like effect for forfeiture of lands, made 19 H. 7. 1.

Waste.

I. *Magna Charta*, 4. 9 H. 3. No waste shall be made by the Guardian in Ward's lands: and if the custody be committed to the Sheriff or any other that is accountable to the King, and he commit waste, they shall make recompence; and the waste shall be committed to two discreet men of the Fee, who shall answer the issues of the land to the King or his Assignee.

II. The Committee of the Ward making such waste shall be committed to two discreet men, who shall be answerable to the King as aforesaid.

III. *Magna Charta*, 5. 9 H. 3. The Guardian of the Ward shall with the issues thereof uphold his Houses, Parks, Woods, Ponds, Mills, and other things pertaining to the said lands: and shall deliver unto him at his full age his lands stored with Plow and other things (at least) as he received them.

IV. The like shall be observed in the custodies of all Spiritual Dignities, which pertain to the King during their vacancy: but such custodies ought not to be sold.

V. *Marlbr.* 23. 52 H. 3. *pars inde.* Farmers (during their Wardship) shall not make waste, sale, or exile, of house, woods, men, or any thing else which appertains to the tenements that they have: without special licence had by writing of Covenant, making them that they may so do; in pain, that they (being thereof convicted) shall yield full damage, and be grievously punished by law.

VI. Statute of Gloucester, 5 & 6 E. 1. An Action of Waste shall be maintainable against Tenant by the courtesie, in dower, for years, and the party attainted thereof shall lose the thing wasted, and recompence thrice so much as such waste is taxed at.

VII. As for Waste done in the time of Wardship, *Magna Charta*, 4. 9 H. 3. (before Y.) shall be observed: and moreover, the Guardian shall recompense the heir for the waste done, if the value lost shall not amount to the value of the damages, before the heir's full age.

VIII. *Statut.* 2. 14. 13 E. 1. The Processes in an Action of Waste shall be Summons, Attachment and Distress: and if the Defendant appear not upon the distress, a Writ of Enquiry shall be directed to the Sheriff to inquire of the Waste; upon the return whereof, the Court shall proceed to judgment, according to the Statute of Gloucester cap. 5. before.

Stat. 2. 22. 13 E. 1. An Action of Waste shall be maintainable against one Tenant in common against another of wood, turf, or the like; and when the cause comes to Judgment, the Tenant shall chuse either to take his part in a certain place, or to grant to take no part by the Sheriff with a Jury, or to grant to take no part as his pignors do: and if he chuse to take his part in a place, the place wasted shall be assigned for his part. The Writ in this case is, *Cum A. & B. tenent Boscum pro indiviso, B. fecit* &c.

Statute of Waste 20 E. 1. An Action of Waste is maintainable by the heir for Waste done in his ancestor's time, as well as done in his own time.

Stat. sup. Chart. 18. 28 E. 1. An Action of Waste is maintainable against Escheators and Sub-escheators, for Waste by them committed in Ward's lands.

Stat. 11 H. 6. 5. An Action of Waste is maintainable by a person for life or years, that first aliens the land to a stranger, and afterwards (still receiving the profits) commits Waste. Howbeit, this Statute shall not extend to Tenants as hold without impeachment of waste.

Watches.

Stat. 5 H. 4. 3. Watches shall be kept upon the Sea-coasts where they were wont to be; and in that case the Statute of Winchester shall be observed: Which see in Robbery.

In every Commission of Peace hereafter to be made, this shall be inserted, *viz.* That the Justices of Peace shall have power in their Sessions to enquire of Watches, and to punish those who shall be found in default, according to the tenour of the Statute.

War.

Stat. 11 H. 6. 12. No Wax-chandler shall sell or put to sale tapers or other wares made of Wax at a dearer rate, than that they have only 4 d. in every pound of wares above the common price of plain Wax, in pain to forfeit all such wares put to sale, and the price of them sold, and besides to make fine to the King.

The Justices of Peace, Mayors, Bailiffs, and Stewards of Franchises, shall have power to examine and search concerning the breach of this Statute, and also to hear and determine: the offences committed a-

III. Stat. 23 EL. 8. None in mingling or making of Wax use or cause to be used any deceit by mixture or mingling the same with Rosin, Tallow, Turpentine, or other deceitfull thing, to intent to sell it, or to put it to sale, in pain to forfeit the same; if such deceitfull Wax happen to be sold before it be discovered, the melter or procurer thereof shall forfeit for every pound thereof to be divided betwixt the Queen and the party deceived, if he sue; but if not, then the prosecutor.

IV. Every melter and maker up of unwrought Wax shall stamp or mark of the breadth of 6. d. wherein the two letters of his name and sur-name shall be graven, and with this shall stamp every such piece of Wax triangularly in three places upon the outside of every such piece; in pain to forfeit the value of every piece so put to sale not so stamped.

V. None shall melt, mix, work, sell, or put to sale, any Wax, stuff, or wares wrought with Wax, but with good and honest stuff, fit for such work, and sealed with the worker's stamp, in end he may be known; in pain to forfeit all corrupt wares so wrought, and so sold or put to sale, to be divided as is said.

VI. None shall sell or put to sale any false mingled Wax, in pain to forfeit the same, to be divided as before.

VII. All Casks filled with Honey shall be by the filler thereof marked with two letters, standing for his name and sur-name, the letter being an inch and an half in length at least, and burnt into the head of each Cask with an hot Iron; in pain to forfeit for every Cask of Honey sold or put to sale, and not so marked, the value of the same.

VIII. None shall fill, sell, or put to sale, any Cask of Honey for a Barrel, Kilderkin, or Firkin, unless they contain as much as is said, viz. the Barrel 32 gallons wine-measure, the Kilderkin 18, and the Firkin 8; in pain to forfeit for every half gallon so lacking together with the Cask and Honey therein contained, to be divided as before.

IX. This Act, as to the making of Wax, shall not extend to the selling the Wax of their own Bees in open Markets, nor to the servant mingling or corrupting Wax by the command of his master, so as he will confess them.

X. None shall counterfeit another's mark, nor stamp the same without the owner's consent, in pain to forfeit for every such offence 5 s. to be divided as before: and in case he be not able to pay, to be set upon the Pillory in the next Market-town to the place where he offends, and to suffer three months imprisonment without bail.

Wears.

Magna Chart. 23. 9 H. 3. All Wears shall be put down
and Medway, and throughout all *England*, save onely by
craft.

Stat. de Pannis 4. 25 E. 3. All Gorges, Mills, Wears, Stanks,
and Kiddles, set up in the time of E. 1. and since, whereby
and Boats are disturbed to pass in Rivers as they were
shall be utterly pulled down, never to be renewed: And
Writs shall issue to the Sheriffs of the places where need
require, to survey and inquire, and thereof to do execution;
also shall be thereupon assigned, as shall be needfull.

Stat. 45 E. 3. 2. The Stat. of Cloath, 4. 25 E. 3. shall be
in due execution; and if any such annoiance be done, it shall
be pulled down by due Process, according to the said Statute.

If any shall repair any such annoiance, and be thereof attaint-
ed shall incur the pain of 100 marks to the King, to be levied
by estreats of the Exchequer. The like Law shall be for an-
noiance made for enhancing such Wears, Mills, Stanks, Stakes and
Kiddles, as by the new levying of them.

Stat. 1 H. 4. 12. The said Stat. of 25 E. 3. 4. and 45 E. 3. 2.
shall be put in due execution.

Commissions shall be made to sufficient men to be Justices in
every County where need shall be, to survey, and keep the waters and
Rivers there, to correct the defaults, and to put the said Statutes
in execution, as well by their survey, advice and discretion, as
by oaths, both within Franchises and without, as need shall be,
to hear and determine the things aforesaid: Also to survey the
Mills, Stanks, Stakes and Kiddles, levied before the time of
Edward 1. and to correct, pull down and amend such of them as they
shall find too much enhanced or streightned, saving always a rea-
sonable substance thereof.

If any such measures be adjudged and awarded by the said
Justices fit to be pulled down and amended, the owner of the Free-
hold thereof shall make thereof execution at his own charge within
a year after notice thereof given to him, in pain of 100 Marks
to be paid to the King by estreats of the Exchequer: and he that
refuse them to be repaired, enhanced, or streightned, against
the said Judgment, (being thereof convict) shall also incur the pain
of 100 Marks, to be paid as aforesaid. Howbeit, if any shall find
himself grieved by the execution of this Act, upon complaint he
shall be relieved.

Stat. 4 H. 4. 11. The Stat. of 25 E. 3. 4. 45 E. 3. 2. and
1 H. 4. 12. shall be duly put in execution.

Commissions shall be awarded to certain Justices and others
in every County where need shall be, to inquire of Offenders against

the said Statutes, and to punish them by fine at their discretion, saving to the King the penalties comprised in the said Statutes.

X. The estreats of such fines shall be delivered by the Justice the Sheriff by Indenture, who shall thereout pay to every Justice for every day that he shall execute such Commission, and the Sheriff is to be allowed it again upon his account in the Exchequer.

XI. Stat. 1 H. 5. 2. All the aforesaid Statutes are confirmed and ordered to be put in due execution.

XII. Stat. 12 E. 4. 7. All the said Statutes are again confirmed and where by award of any of the said Commissioners assigned (according to the said Statute of 1 H. 4. 12.) it is found, that such Weir, Fish-garths, Mills, Mil-dams, Mil-stanks, Locks, Ebbing-weir, Riddles, Hecks, or Floud-gates, are made, levied, raised, streightened or enlarged, against the said Statute, if the offenders therein, be duly warned thereof by the Sheriff (by *Scire facias*, do not work in three months after such warning, duly reform such default, shall forfeit 100 marks, to be paid as by the said Statute is ordained, and also for every month after the said 3 months that the default is not reformed, 100 marks more, to be divided between the King and the Prosecutor: The Heir also or the Assignee of the offender shall likewise forfeit 100. Marks for every month that he continues such disturbances as aforesaid.

Weights and Measures.

I. Magna Charta, 25. 9 H. 3. One measure of Wine throughout the Realm, one measure of Ale, and one measure of Corn, viz. the Quarter of London; and one breadth of dyed cloth, Russet, and Harberjects, viz. two yards within the lists: and in all be of Weights as it is of Measures.

II. Assise of Bread & Cerveise, 51 H. 3. By this Statute Assize of Bread was rated; viz. when a Quarter of Wheat should be sold for 12 d. wastel bread of a farthing (a kind of bread then in use) should weigh 6 pounds 16 shillings, viz. 6 pounds 9 ounces and 12 peny weight, according to Troy-weight. For at that time a pound of silver by Troy-weight was a pound Sterling, or 20 s. the peny now was 3 d. then: and so it continued, untill H. 6. raised the ounce of Silver (which was before but 20 d.) to 30 d. and after that the old peny was valued at three half pence. Afterwards E. 4. raised it to 40 d. then H. 8. to 45 d. and last of all Qu. El. to 5 s. at which rate it yer stands. And all this was done by the said Kings and Queens Proclamations, according to the exigencies of affairs in the Commonwealth at the times when it was so altered.

III. According to the proportion ordained by this Statute, the Table is framed for the due Assize of Bread now in use.

A Table of the Assize of Bread, according to Troy-weight, having twelve Ounces in a Pound, and twenty Penny-weight in each of those twelve Ounces.

Price of Wheat.		Penny White.		Penny Wheaten.		Penny Household.	
s.	d.	li.	ounc.	dr.	li.	ounc.	dr.
19	6	1	5	7	2	2	0
20	0	1	4	18	2	1	6
20	6	1	4	10	2	0	14
21	0	1	4	2	2	0	2
21	6	1	3	14	1	11	12
22	0	1	3	6	1	11	0
22	6	1	3	0	1	10	10
23	0	1	2	4	1	10	0
23	6	1	2	8	1	9	12
24	0	1	2	2	1	9	2
24	6	1	1	16	1	8	13
25	0	1	1	10	1	8	6
25	6	1	1	5	1	7	18
26	0	1	1	0	1	7	10
26	6	1	0	15	1	7	3
27	0	1	0	10	1	6	16
27	6	1	0	6	1	6	8
28	0	1	0	1	1	6	0
28	6	0	11	17	1	5	15
29	0	0	11	13	1	5	10
29	6	0	11	9	1	5	4
30	0	0	11	5	1	4	18
30	6	0	11	1	1	4	12
31	0	0	10	18	1	4	6
31	6	0	10	14	1	4	1
32	0	0	10	11	1	3	16
32	6	0	10	8	1	3	12
33	0	0	10	5	1	3	6
33	6	0	10	3	1	3	0

Price of
Wheat.Peny
White.

Wheaten.

Household.

s. dr.	li. ounce. dr.	li. ounce. dr.	li. ounce. dr.
34. 0	0 9 19	1 2 15	1 7 18
34. 6	0 9 16	1 2 12	1 7 12
35. 0	0 9 13	1 2 8	1 7 6
35. 6	0 9 10	1 2 4	1 7 0
36. 0	0 9 8	1 2 1	1 6 16
36. 6	0 9 5	1 1 18	1 6 10
37. 0	0 9 2	1 1 14	1 6 4
37. 6	0 9 0	1 1 10	1 6 0
38. 0	0 8 18	1 1 7	1 5 16
38. 6	0 8 15	1 1 4	1 5 11
39. 0	0 8 13	1 1 0	1 5 6
39. 6	0 8 11	1 0 16	1 5 2
40. 0	0 8 9	1 0 12	1 4 18
40. 6	0 8 7	1 0 9	1 4 14
41. 0	0 8 5	1 0 6	1 4 10
41. 6	0 8 3	1 0 3	1 4 6
42. 0	0 8 1	1 0 0	1 4 2
42. 6	0 7 19	0 11 18	1 3 18
43. 0	0 7 17	0 11 13	1 3 14
43. 6	0 7 15	0 11 11	1 3 10
44. 0	0 7 13	0 11 10	1 3 6
44. 6	0 7 12	0 11 6	1 3 3
45. 0	0 7 10	0 11 4	1 3 0
45. 6	0 7 8	0 11 2	1 2 17
46. 0	0 7 6	0 11 0	1 2 14
46. 6	0 7 5	0 10 18	1 2 10
47. 0	0 7 4	0 10 16	1 2 7
47. 6	0 7 2	0 10 13	1 2 4
48. 0	0 7 1	0 10 10	1 2 1
48. 6	0 6 19	0 10 8	1 1 18
49. 0	0 6 17	0 10 6	1 1 16
49. 6	0 6 16	0 10 4	1 1 13
50. 0	0 6 15	0 10 2	1 1 10
50. 6	0 6 14	0 10 0	1 1 7
51. 0	0 6 12	0 9 18	1 1 4
51. 6	0 6 11	0 9 16	1 1 2
52. 0	0 6 10	0 9 14	1 1 0
52. 6	0 6 8	0 9 12	1 1 17
53. 0	0 6 7	0 9 10	1 1 14
53. 6	0 6 6	0 9 8	1 1 12

Price of Wheat.		Peny. White.		Wheaten.		Household.	
s.	dr.	li.	ounc. dr.	li.	ounc. dr.	li.	ounc. dr.
54	0	0	6 5	0	9 6	1	0 10
54	6	0	6 4	0	9 5	1	0 8
55	0	0	6 3	0	9 4	1	0 6
55	6	0	6 1	0	9 2	1	0 3
56	0	0	6 0	0	9 0	1	0 0
56	6	0	5 19	0	8 18	0	11 18
57	0	0	5 18	0	8 17	0	11 16
57	6	0	5 17	0	8 15	0	11 14
58	0	0	5 16	0	8 14	0	11 11
58	6	0	5 14	0	8 13	0	11 9
59	0	0	5 13	0	8 12	0	11 6
59	6	0	5 12	0	8 10	0	11 4
60	0	0	5 11	0	8 8	0	11 2
60	6	0	5 10	0	8 6	0	11 1

IV. According to the abovesaid rate (at the time when this Statute was made) a Baker in a Quarter of Wheat (as was then used by the King's Bakers) might gain 4 d. and the bran, and two loaves for advantage; for three servants 1 d. ob. for two lads ob. for six ob. for kneading ob. for candle qu. for wood, 3 d. and for his household ob. in toto 12 d. ob. qu. Which being trebled (according to the rate of money now) amounts to 3 s. 2. d. qu. and may therefore be now converted fit for the Baker to gain in the uttering of every Quarter of Wheat. Howbeit note, that by the Book of Assize now in use published by Proclamation towards the latter end of the Reign of Queen Elizabeth, Bakers inhabiting Corporate Towns (in regard they pay Scar and Lot there) are allowed six shillings in every Quarter of the middle priced wheat for their charge in baking; and Countrey or foreign Bakers only 4 s. For example: When the middle price of Wheat is 30 s. the Quarter, for Assize of Town-Bakers you are to find in the foregoing Table the assize of bread answering to 36 s. but for the assize of foreign Bakers that of 34 s. And therefore (in that case) the peny white loaf to be sold by Town-Bakers ought to weigh nine ounces, eight peny weight; but that uttered by foreign Bakers, nine ounces nineteen peny weight, as appears in the Table.

V. When a Quarter of wheat is sold for 3 s. or 3 s. 4 d. and barley for 20 d. or 2. s. and Oats for 16 d. the Quarter, Brewers in Cities may afford to sell two gallons of beer or Ale for 1 d. and out of Cities 3 gallons for one peny, and when in a Town 3 gallons may be sold for 1 d. out of a Town four gallons may be afforded: And this Assize shall be observed throughout England.

VI.

VI. The Assize of Bread shall be rated according to the middle price of wheat, and shall not be charged but by 6 *d.* increasing or decreasing in the sale of a Quarter.

VII. *Stat. de Ponderibus & mensuris.* An English penny sterling (being now 3 *d.*) shall weigh 32 grains of wheat taken out of the middle of the ear, and 28 *d.* do make an ounce, 12 ounces a pound, 8 pounds a gallon, 8 gallons a London bushel, which is the eighth part of a quarter. *Stat. 31 E. 1. See Rastal Weights 7. 8.*

VIII. *Stat. Of Pillory and Tumbrel, 51 H. 3.* If a Baker or Brewer be convict not to have observed the Assize; for the first, second and third fault, he shall be amerced; except the offence be grievous and often, and then shall the Baker to the Pillory, and the Brewer to the Tumbrel, or some other correction.

IX. Six men shall be sworn truly to gather all the Measures and Weights of the Town, and of Mills; and upon the measures and weights, as also upon every loaf, shall the name of the owner be distinctly written. After this, 12 lawfull men shall be sworn to make true answer on the King's behalf upon the Articles hereafter following; and the Bailiff shall be commanded to bring the Bakers and Brewers with their measures and all things under-written.

X. Then first the Jury shall enquire the first, second and third prices of Wheat sold the last Market-day, and also of Barley and Oats; and upon how much increase or decrease of the price of Wheat, the Baker ought to change the Assize of his bread, and how much it ought to weigh, according to the present price of Wheat; and whether the Town have a Pillory of convenient strength.

XI. Again, they shall enquire of the assize and price of Wine, and the Vintners names, and how they sell, and whether they utter that which is wholesome for man's body: also of the assize of Ale in the Court of the Town, how it is, and whether it be observed. And if the Brewers be found to have sold contrary to the Assize, they shall be amerced, or else judged to the Tumbrel.

XII. They shall enquire likewise of such as use double or false Weights or Measures; of Butchers and Cooks that sell unwholesome meat; and of Forestallers, which buy any thing before the accustomed time of Market.

XIII. *Stat. de Pistoribus, 31 E. 1.* The Assize or weight of wheat shall never be changed, but when there is 6 *d.* increasing or decreasing in the price of a quarter.

XIV. If a Baker's bread be found a farthing weight lacking in two shillings six pence, or under, he shall be amerced; and if it pass the same number, he shall suffer the punishment of the Pillory, which shall not be remitted for gold or silver: and every Baker shall have a mark of his own bread.

XV. According to which proportion, it seems that if a Baker's bread wants not a penny weight in six ounces, he shall not incur amercement.

XVI. Every Pillory or Stretch-neck must be made of convenient length, so that execution may be done upon offenders without peril of their bodies.

XVII. The Toll of a Mill shall be taken according to custom and the strength of the water, either to the 20. or 26. corn: also by a measure agreeable to the King's Standard, and by the rate, and not by heap or cantel. And if the Farmers find the Millers their necessities, they shall take nothing besides their due toll, in pain to be grievously amerced.

XVIII. The Assize of Ale, shall be assessed, proclaimed and kept, according to the price of corn whereof Malt is made; and the Brewer shall not increase more in a gallon, but according to the rate of 6 d. rising or falling in a quarter of Malt; and if he break the Assize, for the first, second and third time he shall be amerced, for the fourth he shall incur the Pillory.

XIX. A Butcher that sells Swines-flesh mezzled, or dead of the murrain, shall for the first time be amerced, for the second incur the Pillory, for the third be imprisoned and make fine, and for the fourth shall forbear the Town: and in this manner shall it be done in all that offend in like case.

XX. The Standard of Bushels, Gallons and Elms, shall be signed with an Iron Seal of the King's; and no Measure shall be in any Town, unless it do agree with the King's Measure, and be marked with the Seal of the Shire-Town.

XXI. If any do sell or buy with Measures unscaled, and not examined by the Mayor and Bailiffs, he shall be grievously amerced.

XXII. All Measures shall be viewed twice every year; and if any be convict of a double Measure, he shall be imprisoned and grievously punished.

XXIII. The Standard Bushels and Elms shall be in the custody of the Mayor and Bailiffs, and of six lawfull persons of the Town being sworn, before whom all Measures shall be scaled; and no grain shall be sold by the heap or cantel, except it be Oats, Malt, and Meal.

XXIV. No Forestaller shall be suffered to dwell in any Town: and if any be convict of that offence, for the first time he shall be amerced, and loose the thing so bought; for the second shall have judgment of the Pillory; for the third, shall be imprisoned and make fine, and for the fourth, shall abjure the Town: and like judgment also shall be given his accessories.

XXV. An Ordinance for measuring of land, 34 E. 1. See the Statute at large.

XXVI. Stat. 14 E. 3. 12. There shall be one Weight and one Measure through the Realm of England; and the Treasurer shall cause to be made certain Standards of Bushels, Gallons and Weights of Brass, and shall send them into every County where such standards are not already sent: and thereupon shall be assigned two sufficient persons of every County, (or more, if need be) to survey Weights and Measures according to the Standard, who shall have power

power to hear, determine, and punish all those that shall there-
of be found guilty, and to command the Sheriff to imprison them
till they shall make fine to the King.

XXVII. The said Officers shall every year, the next day after
the Feast of *St. Michael*, deliver their Estreats into the Exchequer,
and take for their expences a fourth part of that they can levy,
and shall answer the King the other three parts; and the fourth
part also of that they cannot levy shall be answered them in the Ex-
chequer, and the other 3 parts shall be levied for the King's use.

XXVIII. Stat. 25 E. 3. 9. Auncel weight shall be quite pure,
and weighing shall be by equal balance, Stat. 34 E. 3. 5.

XXIX. Stat. 25 E. 3. 10. Every Measure shall be according to
the King's Standard, and shall be striked without heap, saving the
rents of the Lords: and the King will assign certain Justices in
every County to inquire, hear, and determine upon the points
aforesaid, and to inflict punishment according to the trespass.

XXX. Statutum Stapul. 27 E. 3. 10. There shall be one
Weight and one Measure, and none shall use any deceit in weighing
commodities by an uneven tongue of the balance, or by putting in
hand, foot, or other touch; in pain to forfeit the value of the com-
modities so weighed, to suffer one year's imprisonment, and to be
ransomed at the King's will: and the party grieved shall recover
quadruple damages.

XXXI. There shall be Justices assigned to enquire of such mis-
passes, and to doe right, as well at the King's suit as at the suit of
the party.

XXXII. Stat. 13 R. 2. 9. There shall be one Weight and
Measure throughout *England*; and he that shall be convicted to have
used any other shall suffer 6 months imprisonment, and yield double
damages to the party grieved: except in *Lancashire*.

XXXIII. Stat. 15 R. 2. 4. Eight Bushels of corn striked shall
be accounted a Quarter, as well by water as by land; and none shall
buy otherwise, in pain to forfeit the corn or malt bought.

XXXIV. Stat. 16 R. 2. 3. All Weights and Measures shall be
according to the Standard of the Exchequer: And the Clerk of the
Market shall have all his Weights and Measures ready, together with
marks of the Exchequer, and shall carry and bring them with him
when he makes essay of Weights and Measures; neither shall he nor
any other use any other, upon the pains ordained by former Statutes.

XXXV. Stat. 1 H. 5. 10. No Purveyor of the King, nor any
other, shall buy or take any corn by any other measure than 8 Bushels
striked for the Quarter; and payment shall be made in hand for the
carriage.

XXXVI. If any Purveyor offend herein, he shall incur a year's
imprisonment, and forfeit 5 *l.* to the King, and as much to the party
grieved: And nothing shall be taken for the measuring of corn.

XXXVII. Justices of Peace have power to hear and determine
these offences.

XXVIII. Stat. 2 H. 6. 11. The Tun of Wine shall contain 180 gallons *English* measure, the Pipe 126 gallons, the Barrel of Herring or Eels shall contain 30 gallons, the But of Salmon 84 gallons, and so of other lesser measure after the same rate.

XXIX. None shall import or make any vessel contrary to this Act, in pain to forfeit the Commodities therein contained to the Lord of the Town where they are found, whereof the Prosecutor shall have the fourth part.

XL. Justices of Peace, and Mayors and Bailiffs, (having power to enforce of the Peace,) have power to hear and determine these Offences.

XLI. Stat. 8 H. 6. 5. Every City, Borough and Town within England shall have a common Balance, with common Weights sealed, and according to the Standard of the Exchequer, upon the common costs of the said City, Borough or Town, in the keeping of the Head Officer or Constable there; in pain that the City for such default shall forfeit 10*l.* to the King, the Borough 5*l.* and every other Town 40*s.*

XLII. At this Balance all the Inhabitants may weigh *gratis*: but a stranger shall for every draught under forty pound pay a farthing: for a draught betwixt forty pound and an hundred, an half penny; and for a draught betwixt an hundred and a thousand, a penny; whereof the Weights shall be maintained, and the Officers which attend that service rewarded, at the discretion of the said Inhabitants.

XLIII. Justices of Peace, Mayors, Bailiffs, and Stewards of Francises, have power to hear and determine these offences.

XLIV. Stat. 9 H. 6. 6. The Burgesses of *Dorchester* shall not be disturbed by the Stat. of 8 H. 6. 5. to use their weighing within 12 miles compass of that Town, so as they use such Weights as in the said Statute are expressed.

XLV. Stat. 9 H. 6. 8. A Weight of Cheese shall contain 32 Coves, and every Cove 7 pound.

XLVI. Stat. 11 H. 6. 8. The Stat. of 1*o* H. 5. 10. and 8 H. 6. 5. shall be duly put in execution.

XLVII. In every City, Borough and Town, there shall be a common Bushel sealed, and according to the Standard, in like manner and pain as in the said Statute of 8 H. 6. 5. is specified for a common Balance.

XLVIII. All Justices of Peace, Mayors and Head Officers, shall have power to hear and determine the offences committed against the said Statutes by examination or inquisition, and as well at the suit of the King, as of the party grieved.

XLIX. The Mayor of *London*, and all other Mayors and Bailiffs, on their Oaths shall be charged to keep and execute all the said Statutes, and shall be accountable in the Exchequer for all profits and forfeitures which shall grow due thereupon to the King.

L. Stat. 1*o* R. 3. 13. The Contents of every vessel of Wine and Oil: and they shall not be sold, untill they be gauged by an Officer

to be appointed by the King for that purpose. The Measures are these; a Tun of wine 252 gallons, a Pipe 126, a Tertian 84, a Hogshead 63, a Barrel 31 and a half, and a Rundlet 18 and an half.

LI. Stat. 7 H. 7. 4. (or, according to Rastal, cap. 3.) Measures and Weights of Brass shall be sent to every City and Borough to be kept as their treasure, according to which all Measures and Weights in every County shall be reformed.

LII. The Mayor or chief Officer of every such place shall have special mark wherewith he shall seal the said Measures and Weights, and shall take for sealing of a Bushel a peny, and of every other Measure an half peny; for an hundred weight a peny, for half an hundred an half peny, and for every less weight a farthing.

LIII. If he refuseth or delayeth to seal them, or do any thing contrary to this Act, he shall forfeit 40 s. to be divided betwixt the King and the party grieved, and to be recovered by Action of Debt, wherein no wager of Law shall be admitted.

LIV. Justices of Peace have power to hear and determine the said defaults.

LV. Stat. 11 H. 7. 4. Measures and Weights of Brass shall be sent to Cities and Boroughs there especially named.

LVI. Onely Cities, Boroughs and Market-towns shall be enjoined to have common Balances, Weights and Measures, and all other Towns shall be excused, notwithstanding the Statutes of 8 H. 2. 4. and 11 H. 6. 8. above mentioned.

LVII. The Mayors and chief Officers of the said Cities, Boroughs and Market-towns, which shall have delivered to them such Weights and Measures sealed with the letter H. crowned, (or with the first letter of the name of the King of England for the time being,) shall have Authority and power to sign like Weights and Measures unto any of the King's Subjects, (duly requiring the same,) taking for the Marking of every bushel onely 1 d.

LVIII. None shall buy or sell with any other Weights or Measures in any City, Borough or Market-town, but such as are so marked, nor in any other place with a Bushel which is not so marked.

LIX. Mayors and chief Officers shall at least once every year view all Measures and Weights within their jurisdictions, and break or burn them which they find defective, and also inflict punishment upon the Offenders; viz. for the first offence 6 s. 8 d. for the second 13 s. 4 d. and for the third 20 s. and besides adjudge them to the Pillory.

LX. Two Justices of Peace (1 Quorum) have authority, as well by examination as by inquiry, to hear and determine the defaults of Mayors and other Head Officers, and also of buyers and sellers contrary to this Act, and to set Fines and Amerciaments upon the Offenders at their discretion: and the defective Weights and Measures to be forfeited and burnt.

EXI. Eight bushels of corn raised and stricken, shall be accounted

14 pound a stone of Wool, and 26 stone a Sack: Howbeit, this shall not extend to any person selling or buying by water within Ship-board, whereof every bushel shall contain five earled and stricken.

XII. Within the Cinque-ports the Lord Warden or his Lieutenant shall order the Weights and Measures.

XIII. Stat. 12 H.7.5. A bushel shall contain 8 gallons of wheat, every gallon 8 pound of wheat Troy-weight, and every pound ounces, and every ounce 20 Sterlings, (or *peny weights*;) every bushel shall weigh 32 grains of wheat; that grew in the midst of the year of wheat: and a Standard for the King's Treasury is to be made according to this Assize.

XIV. Whereas Weights and Measures sent down to Cities and Towns last year by the Statute of 11 H.7.4, were found defective, more perfect shall be sent thither, at the charge of the said Cities and Towns; according to which all other Weights and Measures shall be regulated, upon the pains in the said Statute contained.

XV. Stat. 28 H.8.14. *in fine*. The Statute of 1 R.3.13. and all other Statutes made for the due gauging and measuring of Wine, Honey, and other Liquors, shall be duly put in execution.

XVI. Every Gauger shall duly gauge all the said Vessels, and upon the head of each of them the true content thereof, in case of forfeit to the buyer thereof the quadruple value of that it is, besides costs of suit. The Merchant also shall recompence the seller what it wants, according to the value of the vessel bought, in case of forfeit to the buyer the double value of such vessel sold, together with costs of suit.

XVII. Stat. 22 Car. 2. cap. 8. A Clause in a Statute made in the first year of King Car. I. that such Measure as is commonly called Wainmeasure shall be used as formerly hath been, shall be Repealed as touching measuring Corn, Grain or Salt; and if any sell Corn or Grain by other bushel or measure than according to the Statute, and the said bushel stricken even by the brim, and Sealed by Act directs, shall forfeit 40 s. to be levied in such manner, and such penalties for want of Distress to be inflicted, as by the said Statute is directed, by Warrant of a Justice of Peace.

XVIII. If Head Officers of Cities, Boroughs or Corporations wilfully suffer any to sell or buy Corn or Grain or Salt by other measure, or stricken in other manner, or shall suffer other measure to be used, than this Act directs, or upon complaint of the seller of this Statute, shall not punish and reform the same, upon conviction thereof at the General Sessions of the Peace, shall forfeit 10 pound, one moiety to the Informer, the other to the Poor of the Parish where the offence is committed, to be levied by distress of Goods, and for want thereof by imprisonment till payment.

XIX. If the Clerk of the Market of the King's House within the City, or others authorized by Law to mark or Seal Measures within their respective Jurisdictions, shall refuse, being required, to seal

any bushel, half bushel or Peck duly gauged, they shall forfeit for the first offence five pound, and for every other ten pound to be levied as aforesaid: Or if the said Clerk of the Market take more than the accustomed Fees; or if others take more than one penny for Sealing or marking a bushel, than one half penny for a half bushel or peck, or than one farthing for any measure containing one pottle, quart, pint, or half-pint, they shall incur the penalties contained in the said Stat. of 17 Car. 1.

LXX. At their charge who shall have the toll, or profit of the Market where no toll is, within any City, Corporation or market town, there shall be before the 29 of Septemb. 1670, one measure of Brass provided, and chained in the publick Market place, on pain to forfeit five pounds, to be recovered and levied as by this Act directed, one moiety to the Poor of the Parish, another to him that will sue for the same.

LXXI. Constables may search and examine if any use other measures, or strike them in other manner than this Act directs, and they find any unsealed measure, may break the same: And for the same and every other offence against this Act, shall present the Offender at the next Quarter Sessions.

LXXII. None punished by virtue of this Act, shall be questioned for the same offence, by virtue of any other Act.

LXXIII. None shall take toll or any thing in lieu thereof but according to such proportion as the measures in this Act appointed bear to the measures whereby the same hath been usually taken.

LXXIV. Stat. 22 & 23 Car. 2. cap. 12. They that sell or buy Corn or Salt, without measuring, being thereto required, or in any manner than by 22 Car. 2. cap. 8. is directed, and that without taking the measure by the buyer, shall forfeit besides the penalty of the former Act all the corn or Salt, or the value thereof to the person complaining.

LXXV. Upon complaint to one or more Justices of Peace, proof shall lie upon the Defendant to make appear by Oath of one or more witnesses, that they did buy or sell according to this Act: Wherein if he fail, he shall forfeit as by this Act directed, to be levied by distress and sale of goods under hand and Seal of one or more Justice before whom such conviction shall be, which penalties shall be distributed, one half to the Poor of the Parish where the offence was committed, the other to the Informer.

LXXVI. In Markets where there is not a Clerk of the Market, the Mayor, &c. or Head Officer, or others having the Benefit of such Market, shall seal measures duly gauged, brought for that purpose, taking no more than by the former Act is appointed.

LXXVII. All they to whom any Salt, Rent-corn, or Tythe is due, may take them by the like measures as they were paid for before the beginning of this Parliament.

White-Ashes.

Stat. 2 & 3 E. 6. 26. None shall Ship, lade, carry or convey White-Ashes towards the parts beyond Sea, in pain to forfeit for every bushel 6 s. 8 d. to be divided betwixt the King and Prosecutor.

Whitegate.

Stat. 33 H. 8. 32. The Church of Whitegate in Cheshire shall be Parish-Church, and no part of the Parish of Over.

Wild-fowl.

Stat. 25 H. 8. 11. None shall destroy or take away the Egg of any Wild-fowl, in pain to forfeit for every Egg of a Crane or Mallard so taken or destroyed, 20 d. of a Bittern, Hern or Shoveler, 8 d. and of a Mallard, Teal or other Wild-fowl, 1 d. to be divided betwixt the King and the Prosecutor: And the Justices of the Peace have power to enquire, hear and determine offences of this kind as they use to do in cases of trespass.

Wills.

Stat. 2. 20. H. 3. Widows may bequeath the crop of their lands, as well of their Dowers as other lands, saving to the Lords the Fee all such service as be due for their Dowers or their Tenements.

Stat. 32 H. 8. 1. Every person having Manors, Lands, Tenements, or Hereditaments, holden in Socage, or of the nature of Socage-tenure, and not having any such Manors, Lands, &c. of the King by Knight-service, Socage, Tenure in chief, or of the nature of Socage-tenure in chief, nor of any other person by Knight-service, shall have power to give, dispose, will, and devise, by his last Will and Testament in writing, as otherwise by any act executed in his life, all such Manors, Lands, &c. at his pleasure.

Every person having Manors, Lands, &c. holden of the King by Knight-service, or of the nature of Socage in chief, and having any other lands, Lands, &c. holden of any other person in Socage, or of the nature of Socage, and not having any Manors, Lands, &c. of the King or any other by Knight-service, shall have power to give, will, dispose and devise, as well by his last Will and Testament in writing, as otherwise by any act executed in his life, all such lands, Lands, &c. or any of them, at his pleasure.

Notwithstanding, all such *Primer seifins*, Reliefs, Fines for alienation, and other rights and duties for tenures in Socage, or in the nature of Socage in chief, as have been heretofore used, are saved to the King; and the said Manors, Lands, &c. are to be taken, had, and

fued out of the King's hands, by the person or persons to whom it shall be so disposed, willed or devised, in like manner as hath been used by any heir or heirs before the making of this Statute.

V. Every person having Manors, Lands, &c. of Estate in Inheritance holden of the King in chief, by Knight-service, or of the nature of Knight-service in chief, hath power by his last Will in writing or by any other act executed in his life, to give, dispose, will, assign two parts thereof in three parts to be divided, or else so much thereof as shall amount to the yearly value of two parts thereof in three parts, to be divided in certainty, and by special divisions, so that it may be known in feveralty, for the advancement of his Wife, preferment of his Children, and payment of his debts, or otherwise at his pleasure.

VI. Here also the custody, Wardship and *Primer seisin*, or all of them, as the case shall require, of as much of such Manors, Lands, &c. as shall amount to the clear yearly value of the third part thereof, as also all Fines for alienation, upon such alteration of the Freedom or Inheritance, are saved to the King.

VII. Every person having Manors, Lands, &c. of Estate or Inheritance holden of the King in chief by Knight-service, and having other Manors, Lands, &c. holden of the King or any thing by Knight-service or otherwise, hath power to give, dispose, will, assign, by will in writing, or otherwise by act executed in his life, two parts thereof in three parts to be divided, or so much thereof as shall amount to the yearly value of two parts thereof, to be divided as aforesaid, for the advancement of his Wife, preferment of his Children, and payment of his debts, or otherwise at his pleasure.

VIII. Here likewise the custody, Wardships, *Primer seisin*, and Fines for alienations, are saved to the King as before.

IX. Every person having Manors, Lands, &c. of Estate of Inheritance holden of any other Lord by Knight-service, and other Lands in Soccage, or of the nature of Soccage, may give, dispose, or will, by will, or otherwise by act executed in his life, two parts of the Knight-service-land, or so much thereof as shall amount to the yearly value of two parts, as aforesaid, and also all the Soccage-land at his pleasure: saving to such Lord (for his custody and wardship) so much of the Knight-service-land as shall amount to the yearly value of the third part thereof.

X. Every person having Manors, Lands, &c. holden of the King by Knight-service, and not in chief, and other Manors, Lands, &c. holden of any other person in Knight-service, and also other Manors, Lands, &c. holden of any other person in Soccage, or of the nature of Soccage, may give, dispose, will, devise and assign, by his last Will, or otherwise by act executed in his life, two parts of the said Knight-service-land, or so much thereof as shall amount to two parts of the yearly value thereof, as aforesaid, and all the Soccage-land, at his will and pleasure. Howbeit, here also the custody and wardship of so much of the said Knight-service-Manors, Lands, &c. by

amount to the yearly value of the third part thereof, are to the King, and other Lords respectively: and if the King or other Lord have not (in this case) a full third part set out for them, they may (respectively) take into their possession so much of the said third part as will make it a full third part.

II. Provided that all persons shall sue liveryes for possessions, reversions or remainders, and pay reliefs and heriots, as they did before the making of this Act.

III. Fines for alienations shall be paid in Chancery upon Writs of *Quia Emptor* in the *Posse* for common recoveries suffered of any Manors, Lands, &c. holden of the King in chief, in like manner as upon Writs of *Quia Emptor* of such Manors, Lands, &c. by fine or feoffment. And no other fine shall be paid there for any such Writs, but such fines for alienation.

IV. Where two or more hold any Manors, Lands, &c. of the King by Knights-service joyntly to them and the heirs of one of them, and that hath the Inheritance dieth, his heir being within age, shall have the Ward and Marriage of such heir, the life of the said Freeholder or Freeholders notwithstanding: Saving to every such heir his Interest of Dower in such lands to be assigned out of the third part thereof, severed from the third part, as aforesaid, and otherwise; and saving also to the King the reversions of all such lands by Joynt-tenure and Dower, after the death of such persons, in case they happen to die during the nonage of the King's

V. Stat. 34 & 35 H. 8. 5. Where the Stat. of 32 H. 8. 1. enjoineth Manors, Lands, &c. of inheritance, it shall be extended and taken of Estates in Fee-simple.

VI. Every Person having a sole Estate in Fee-simple, or seized in Fee-simple, or in common in Fee-simple, in any Manors, Lands, Tenements, Rents, or other Hereditaments, in Possession, Reversion, or Remainder, and having no Manors, Lands, &c. holden of the King, or of any other, by Knight-service, may give, sell, or devise to any person or persons, (except Bodies Politick and Corporate,) by his last Will and Testament in writing, or by his last Will and Testament in writing, or by himself and others jointly, severally or particularly, or by all those ways, or any other way, as much as in him of right is, all his said Manors, Lands, Tenements, Rents and Hereditaments, or any of them, or any Rents, Profits, or other Profits out of the same, or any parcel thereof, at his free-will and pleasure.

VII. Every person having such an Estate, or seized, as aforesaid, in any Manors, Lands, Rents, &c. in Possession, Reversion, or Remainder, or of or in any Rents or Services incident to any Reversion or Remainder, holden of the King by Knight-service in chief, or of the nature of the Knight-service in chief, may give, dispose, sell, or assign any person or persons, (except Bodies Politick and Corporate,) by his last Will and Testament in writing, or by any act ex-

executed in his life, by himself solely, or by himself and others jointly severally or particularly, or by all those ways, or any of them, as much as in him of right is, two parts, as well of all the said Manors, Lands, &c. as of all other Rents and Hereditaments, or if any of them, or any Rents, commons, profits or commodities out of any of them, to be perceived of the same two parts, or out of any parcel thereof, in three parts to be divided, or as much thereof as shall amount to the yearly value of two parts thereof, in three parts to be divided, (whether what person or persons soever they be holden,) at his free-will and pleasure.

XVII. Such Wills so declared shall be good for two parts of the said Manors, Lands, &c. although it be made of the whole more than the two parts thereof: The said division to be made by the Divisor or owner of the said Manors, Lands, &c. by will in writing, or otherwise in writing; and in default thereof by Commission out of the Court of Wards, upon inquiry of the true value thereof by the Oaths of twelve men. And upon return thereof in the said Court, the division shall be made by the Master of the Wards, if the said Master and parties cannot otherwise agree upon the division, and the issues and Profits of the two parts shall be restored to the person that shall have right thereunto, from the death of the Owner or Divisor.

XVIII. Every person being seised solely, in Co-parcenary, or in common as aforesaid, of any Manors, Lands, Rents, &c. in fee-simple, Reversion, or Remainder, or of any Rents or Services incident to any Reversion or Remainder, holden of the King by Knight-service, and not in chief, or of any other person by Knight-service, may give, dispose, will or devise to any person (except to a Priest or Monk or Nun or Regular) by his last Will and Testament in writing, or by act executed in his life, solely or jointly, as aforesaid, two parts thereof, or any rents, commons or profits, to be perceived out of the same two parts, or out of any part thereof, &c. And such Will shall be good for such two parts, albeit it be made of the whole lands so holden, or of more than the said two parts, and shall also be good for all lands not holden in Knight-service, and for all Rents, commons, and profits, to be perceived out of the same.

XIX. Here also the division of the third part is to be made before, where it concerns the King's interest; but where it concerns other Lords, the division shall be by Commission out of the Court of Wards, if such Lords, and the parties in the mean time cannot agree thereupon.

XX. The savings (in this Act, and in that of 3 H. 8. c. 1.) of wardship, relief and *primer seisin* to the King, and of custody of wardship to other Lords, shall be expounded thus: That the person that shall have for his full third part such Manors, Lands and Tenements as shall descend, as well in Fee-tail as in Fee-simple, to the person that made such Will or disposition as aforesaid; the Will or Gift of the two parts shall be good in Law, and

Gift be made of all the Fee-simple lands, or the more part thereof. Howbeit, if the King have not a full third part left him, he shall take out of the two parts so much as shall make it up, to be assigned by Commission, as aforesaid. And such advantage also is given to other Lords for their third parts: and the like shall both the King and they do, in case their third parts, or any parcel of them, shall be evicted from them or determined.

XXI. A pardon of alienation must be sued by those to whom the lands are devised, for which they shall pay a third part of the value of the lands holden in chief: and this Act shall be sufficient warrant to the Lord Chancellor to grant such pardons under the Great Seal, without farther suit to be made to the King for the same.

XXII. Wills or Testaments of Manors, Lands, &c. made by persons covert, Infants, Idiots, or persons of *non sane* memory, shall nevertheless be good in Law.

XXIII. If any person or persons shall (by Will or act executed) make any estate for years, life or lives, with one remainder over in fee-simple, or with divers remainders over for term of life, years, or in fee-simple, with a remainder over in Fee-simple, or any other estates, conditions, mesuallties, tenures, or conveyances, by fraud or covin, to the intent to defraud the King of his Prerogative *primer seisin*, livery, wardships, marriages, or rights, or any other Lords of wardships, reliefs, heriots, or other profits, and such estates and conveyances, be found by Office to be so made by covin, fraud, or deceit: in this case the King shall enjoy his Prerogative of such profits aforesaid: according to this and the said former act, (notwithstanding such estates or conveyances,) untill such Office be answered by traverse or otherwise. Also other Lords shall have their remedy in such cases for their wardships by Writ of Right of Ward, and shall distrain, and make avowry or consuance, by themselves or their Bailiffs, for their reliefs, heriots, and other profits, as if no such estate had been made. Howbeit the right and title of the tenants, Feoffees, Lessees and Devisees thereof, against the Devisor and his heirs, after the interest of the King and other Lords determined, are saved.

XXIV. Provided, that every person from whom the King or other Lord shall take any Manors, Lands, &c. for their third part, to make it up; may have relief in Chancery against every person, who shall be intruded (by any such Will or Gift) to the other two parts, to have such contribution for the same as the Lord Chancellor or Justice shall think convenient.

Wines.

Statute of Gloucester, 15. 6 E. 1. The Mayor and Bailiffs (or Sheriffs) of London, before the coming of the Barons, (which shall be at their rising after Candlemas-term, as appears by the 14th year of this Statute,) shall inquire of Wine sold against the Assize, and

and shall present it before them at their coming, and then they shall be amerced, whereas they were wont to tarry untill the coming of the Justices. *Obsole.*

* II. Stat. 4 E. 3. 12. None shall sell Wines but at a reasonable price, according to the Price at the Ports from whence they come, allowing the expence of their carriage to the places where they are sold. Trial shall be made of such Wines twice a year, at *Easter* and *Michaelmas*, and Officers, if need require, by the Lords of Towns and their Bailiffs, and likewise by Mayors and Bailiffs; and all corrupt Wines shall be poured out, and the vessels broken. Also the Chancellor, Treasurer, Justices of the Bench and Justices of Assize, shall have power to inquire of Mayors, Bailiffs and Ministers of Towns that do not observe this Ordinance and to punish them as reason requires.

* III. Stat. 27 E. 3. Stat. 1. cap. 5. No English Merchant shall forestall Gascoign Wines, nor buy them of any Gascoign or other, to pay in England, for any greater price than they are commonly sold at in Gascoign, (because of Prest, peril of the Sea, and by any other colour,) in pain of life and member, and to forfeit their Wines, Goods and Chattels to the King, and their lands to the chief Lords. *But here the Felony and forfeiture of Lands are Repealed by 37 E. 3. 16. Obfol.*

IV. Cap. 6. Gascoign Merchants, and other strangers, may bring their Wines to what Port of England they please; so as the King's Butler may make purveyance for Wines of Aliens, making payment for them within 40 days. *Obfol.*

V. Cap. 7. No English Merchant shall buy Wines of Gascoign before the Vintage, nor then, but at Bourdeaux and Bayon; upon the pain mentioned in the 5th Chapter. *But that as to the Felony and forfeiture of Lands is Repealed by 37 E. 3. 16. as aforesaid. Obsole.*

* VI. Stat. 37 E. 3. 16. The Felony and forfeiture of lands inflicted by 27 E. 3. & 5. 7. are Repealed, and inquiry shall be yearly made within the King's Dominions in Gascoign of Coucheys of England, who lie there to buy Wines. *Obsole.*

VII. Stat. 38 E. 3. 10. A confirmation of the Statutes made for Wines. *Obsole.*

VIII. Stat. 38 E. 3. 11. All Merchants Denizens, that be Artificers, may go into Gascoign to fetch Wines, and Aliens may bring Wines into this Realm.

IX. Stat. 43 E. 3. 2. English, Irish and Welsh-men, (being Artificers) may fetch Wine in Gascoign, so as they find sureties to buy 100 Tun of their own Goods, and to bring the same into England, Ireland or Wales.

X. Stat. 6 R. 2. Stat. 1. 7. Sweet Wines shall be sold in England at the price that Gascoign and Rhenish Wines are sold for, not above, in pain to forfeit the same.

XI. Stat. 23 H. 6. 18. No new impositions shall be levied on them that buy Wines in Gascoign and Guienne by any of the

Wines in those parts, in pain of 20*l.* and treble damages. Ob-

XII. Stat. 28 H. 8. 14. The Lord Chancellor, Treasurer, President of the Council, Privy-Seal, and the two chief Justices, or five, four, or three of them, have power, at their discretions, to set the prices of all kind of Wines, *viz.* of the But, Tun, Pipe, Hogshead, Cask, Cane, Tierce, Barrel or Rundlet, when they shall be sold in gross; so, as they cause the prices so set to be written, and openly proclaimed in Chancery in the Term-time, or else in the City, Borough or Town, where any such Wines are sold in gross.

XIII. None shall sell Wine otherwise than according to the prices so set and proclaimed as aforesaid, in pain to forfeit 40*l.* for every cask otherwise sold, to be divided (in a Corporation) betwixt the King and the Head Rulers there, but (out of a Corporation) betwixt the King and the Prosecutor.

XIV. Justices of Peace and Head Officers have power to hear and determine the defaults of all such as sell Wine in gross or by retail contrary to this Act.

XV. Stat. 32 H. 8. 23. The great Officers appointed by the Statute of 28 H. 8. 14. to set prices upon Wines, shall so set them between the 20 day of *November*, and the last day of *December*, and no time else; and none that sell Wines either in gross or by retail shall sell them above those prices, upon the penalties in the said Statute of 28 H. 8. contained.

XVI. If any refuse to sell their Wines accordingly; in *London* the Mayor, Recorder, and two ancient Aldermen, being no Vintners, and in other places the Mayor, Bailiffs, Aldermen, and other Officers, whereof the chief Officer is to be one, may enter the houses of such persons, and sell their Wines at the prices so assessed as aforesaid.

XVII. Stat. 7 E. 6. 5. None shall utter Wine by retail in any other places than in Cities, Boroughs, Port-towns, or Market-towns, or in *Gravesend*, *Sittingborn*, *Tuxford* or *Bagshot*, in pain to forfeit 10*l.* for every day that they sell Wine otherwise.

XVIII. None shall utter Wine by retail in any City, Borough or Corporation, but by license of the most part of the Common Council, Aldermen, Burgessees, or Commonalty there, under their Common Seal; nor in any City, Borough, Port-town, or Market-town not Corporate, or in *Gravesend*, *Sittingborn*, *Tuxford* or *Bagshot*, without licence of the Justices of Peace of the County in Session under their Seal; in pain to forfeit 5*l.* for every day that they sell Wine otherwise: which said Officers Commonalty and Justices, have power to continue or change such licences at their discretions; and shall not license above two in one place, in pain to forfeit 5*l.* a year, except in these hereafter following, in which it shall be lawful to license more than two, *viz.* in

London	40	Shrewsbury	3	Southampton	1
York	8	Exeter	4	Canterbury	1
Norwich	4	Salisbury	3	Ipswich	3
Westminster	3	Gloucester	4	Winchester	3
Bristol	6	Westchester	4	Oxford	3
Lincoln	3	Hereford-East	3	Cambridge	4
Hull	4	Worcester	3	Colchester	3
				Newcastle	4

XIX. None shall sell or utter Wine by retail to be spent in their or their Mansion-house, or in any other place in their tenure, of any colour, craft or engin, in pain of 10 l.

XX. The abovefaid forfeiture shall be divided betwixt the King and the Prosecutor.

XXI. Justices of Peace within every County and Corporation in Sessions, Stewards in Leets, and Sheriffs in their turns, have power to inquire (by the Oaths of 12 men) of all offences committed against this Act, in which case the forfeitures which shall thereupon grow due, shall be divided betwixt the King and the Poor of the Town or place where the Presentment shall be found.

XXII. This Act shall not prejudice the liberties of either of the Universities, nor charge any person offending, unless the suit be prosecuted within a year.

XXIII. Stat. 12 Car. 2. cap. 25. No person not Authorized by this Act is appointed, shall utter by retail any Wines, on pain to forfeit for every such offence 5 l. one moiety to the King, the other moiety to him that will sue for the same.

XXIV. The King may issue out under the Great Seal Commissions to two or more, to license whom they think fit to sell Wine by retail, according to the directions of this Act. Such persons so appointed shall be called his Majesty's Agents for granting licences for the selling and uttering Wine by retail: and may under their Seal of Office to be appointed by the King, grant such licence for any term not exceeding 21 years, if the person so long live, and for such rent as they can agree, to be answered half yearly, and no Fine to be taken.

XXV. Such licence shall not be granted but to such as personally use the trade, or to the Landlord of the house, nor shall be assignable.

XXVI. The King may appoint other Officers to carry on this Service, so as their Salaries with the wages of his said Agents exceed not 6. d. in the pound of the Revenue that shall hence arise. Which Revenue, except such wages, shall be duly paid into the Exchequer and not charged with any Gift or Pension. The said Agents shall return into the Exchequer every Mich. and Easter Terms an Oath an account of what licences have been granted, and the rent reserved, and what is in Arrear, with the Securities of the persons so in Arrear.

XXVII. The Privileges of the Universities saved, and of the Company of Vintners in London, and those of other Cities and Towns Corporate, and the Powers and Authorities granted by Queen Elizabeth and King James, to the Mayor and Burgeses of St. Albans in Hertfordshire, for licensing three Taverns towards the maintenance of the Free-School there.

XXVIII. The Officers to be appointed shall take nothing in respect of this Service, but 5 s. for a licence, 4 d. for an acquittance, and 6 d. for a bond, under the pain of 10 l. one half to the King, the other to the Prosecutor.

XXIX. All persons that sell wines in gross mingled or abused, shall forfeit 100 l. for every Offence: and all selling such wines by retail, 40 l. one half to the King, the other to the Informer. No Rhenish or sweet wines shall be sold for above 18 d. per quart by retail. No French wines above 8 d. No Rhenish wines above 12 d. and so proportionably: on pain of 5 l. for every quantity so sold, one moiety to the King, the other to him that will sue.

XXX. But the Chancellor of England, the Treasurer, President of the Council, Lord Privy Seal, the two Chief Justices, or five, or three of them, may yearly between the 20th of November, and the last of December, set the prices of wines at higher or lower rates than as aforesaid: Proclamation whereof to be made in the Chancery in Term-time, or in the City, Borough, or Town Corporate, where such wines shall be sold: and in default of such setting, the prices set by this Act shall be observed. *Confirmed* 13 Car. 2. cap. 7.

XXXI. Stat. 15 Car. 2. cap. 14. James Duke of York, and the heirs male of his body, shall have all the Powers and Authorities mentioned in 12 Car. 2. cap. 25. to grant licences to sell wines by retail, with all the profits thereof, and that moiety of the forfeitures, which by the said Act is given to the King. And such persons as he or his heirs Males shall appoint, may under such Seal as he or his heirs Males shall appoint, grant such licence for any time not exceeding 21 years, if the Grantees shall so long live, at such Rents, and under such Conditions as they think fit: but shall take no Fines. For which Rent the Duke and his heirs Males may sue by Bill, Plaint or action of debt in his own name in any Court of Record, or in the King's name in the Exchequer; Rents, and Arréars, reserved upon sales already made shall be paid to the Duke and his heirs Males.

XXXII. The privileges of the Company of Vintners London saved, and of the Mayor and Burgeses of St. Albans, and of the Universities.

XXXIII. Stat. 22 & 23 Car. 2. cap. 6. The Revenue of Wine-licences with all the profits thereof, and powers of granting licences for retailing wines shall be vested in the King, his Heirs and Successors. And in satisfaction thereof the King's Letters Patents, whereby there shall be granted to the Duke of York, and the heirs Males of his body, the yearly sum of 24000 l. out of the King's Revenue of Excise of Beer, and Ale, &c. arising out of the Counties of Buck-
ingham,

ingham, Essex, Kent, Norfolk, Suffolk, Berks, Bedfordshire, Cambridgeshire, York-shire, Hertfordshire and Somersetshire, shall be good in Law, *vide plura* in the Stat. at large.

Witness.

I. Stat. 12 E. 2. 2. When a Deed or other writing is denied in Court, wherein Witnesses are named, Process shall be awarded to cause them to appear; and if they come not at the great Distress returned, or the return be, that they have nothing, or that they cannot be found, yet the Enquest shall proceed: But if the Witnesses appear at the great Distress, and the Enquest for some cause remain untaken, the Witnesses shall have like day given as is assigned for the taking of the Enquest; when if they appear not, the issue first returned upon them shall be forfeit; and the taking of the Enquest shall not be deferred because of their absence, neither yet for the absence of Witnesses dwelling in a Franchise where the King's Writ runs not.

II. Stat. 5 El. 9. *pars inde*. None served with process out of a Court of Record to testify as a Witness (being tendred convenient charges, and having no reasonable lett) shall therein make default, in pain to forfeit to the party grieved 10*l*. and besides to yield him such farther recompence as the Judge of the same Court shall think fit, according to the damage sustained: which said sums shall be by him recovered in any Court of Record by Action of debt, in which no wager, essoin, &c. shall be allowed.

Wood.

* I. Stat. 35 H. 8. 17. In every several Wood, called Copse or Under-wood, which shall be felled at 24 years growth or under, there shall be lefounfelled for every Acre thereof 12 Standils of Oak; and in case there shall not be so many Oaks, that number shall be made up of Elm, Ash, Asp, or Beech; which Standils or Storers shall not be cut down untill they shall bear ten inches square within three foot of the ground; in pain that every Owner of such Woods shall forfeit for every Standil not so left 3*s*. 6*d*. and also for every such Standil so left and afterwards cut down, as much: Both which forfeitures shall be divided betwixt the King and the Prosecutor.

II. Underwoods felled at 14 years growth or under, shall during four years next after the 20 of April after their felling, be preserved from destruction of Cattel; in pain that the Owner thereof shall forfeit for every rood thereof unfenced, for every month 3*s*. 4*d*. And Under-woods above 14 years growth, and under 24, being so felled, shall, during 6 years next after the 20 of April after felling, be so preserved as aforesaid, upon the like pain.

III. None shall convert into Pasture or Tillage any such Under-wood or Copice, containing two Acres or above, and being two furlongs distant from the house of the Owner thereof, or from the house whereunto such Wood doth appertain; in pain to forfeit 40 s. for every Acre so converted.

IV. The Owner of Copices above twenty four years growth shall, at the felling thereof, leave 12 such Standils of Oak, or otherwise of Elm, Ash, Beech or Asp, as aforesaid, in pain to forfeit 6 s. 8 d. for every Standil not so left; and shall not cut them down before they be of two years growth, in pain of 6 s. 8 d. for every one so cut down: and farther, shall preserve such Under-wood seven years after their felling from the destruction of Cattel by fencing; in pain to forfeit for every rood thereof unfenced; for every month 4 s. 4 d.

V. Howbeit, the Owner of such Under-woods may sell such Standils aforesaid for his own use, for buildings, repairing, inclosing, and maintaining of Houses, Orchards, or Gardens, or for pailing, or railing, or inclosing of Parks, Forests, Chases or other Grounds, or for making or repairing of Water-works, Dams, Bridges, Flood-gates, or other vessels, notwithstanding this Act.

VI. Where there is such a Wood or Copice wherein others have common, the Lord (Owner of the soil) shall not sell or cut down the same, (except to his own use) before he and the Commoners shall agree in the setting out of a fourth part thereof to be severally inclosed for the Lord's use: And in case they cannot agree thereupon, two Justices of Peace, appointed by the more part of the Justices in Sessions, shall have power to call together twelve of the Commoners and Inhabitants there, and, with the Lords and their consent, to set out the fourth part thereof, to be severally inclosed by the said Lord within one month after, and then to be sold at his pleasure; and also to be subject to the aforesaid Laws of other Copices, upon such penalties as aforesaid. Onely, if any Beast be suffered to come into such fourth part within seven years after they are sold, the Owner of such Cattel shall forfeit for every such Beast 4 s. And if the Owner of such Wood or Copice cut down any trees or under-woods there contrary to the form aforesaid, he shall forfeit for every tree so cut down 6 s. 8 d.

VII. The said forfeitures are to be converted in any Court of Record, and to be divided betwixt the King and the Prosecutour.

VIII. Here, during the said 7 years next after such selling of such fourth part, the Commoners shall be excluded for commoning thereon, so also shall the Lord be debarred to common in the residue. But after the said 7 years expired, both the Lord and the Commoners may intercommon in the whole, as they did before the division.

IX. Provided, that every one may sell and inclose all such his Copices or Under-woods in waste grounds as before this time have not been inclosed, and preserved for the maintenance of Wood and Under-wood, notwithstanding this Act.

X. The Commoners also (in case the said Lord do not sell his fourth part within four months after such division) may common in the said part untill it be felled.

XI. This Act shall not extend to Under-woods in the Wilde of *Kent, Surrey and Suffex*, save onely to the common Woods there.

XII. Neither shall it extend to any Timber-trees growing within two miles of the Sea in *Cornwall*, dead at the top, or taken by the King's Commission: Neither shall any Offender be punishable by this Act, unless he be prosecuted within one year after the offence committed.

XIII. None shall break or destroy any fence or hedge made for the saving of any such Woods or Under-woods, in pain of 10 s. Neither shall any suffer his Swine (of the age of 10 weeks or above) to go or run in any such Grounds or Woods unringed or unperched in pain to forfeit for them 4 d. a piece. Which said forfeitures (in the King's Woods) shall be divided betwixt the King and the finder; but (in other Woods) betwixt the Owner of the Field and the Prosecutor.

XIV. Under-woods in a Park shall be preserved by fencing only 4 years after the felling thereof.

XV. If such Woods happen to be destroyed by the means of a Stranger, and not by the Owner himself or by his neglect, the Stranger shall be subject to the penalties of this Act, and not the Owner.

XVI. Yearling Colts or Calves may be put into such Woods within two years after the felling thereof.

XVII. Stat. 1 El. 15. None shall convert or imploy to Coal or other Fewel, for the making of Iron, any Timber-tree or trees of Oak, Beech, or Ash, of the breadth of a foot square at the Stem, and growing within 14 miles of the Sea, or of any part of *Thames, Severn, Wye, Humber, Dee, Tine, Tees, Trent*, or other Navigable River, in pain to forfeit 40 s. for every Tree so converted, to be divided betwixt the King and the Prosecutor.

XVIII. This Act shall not extend to *Suffex*, the Wilds of *Kent*, or to the Parishes of *Charlewood, Newdigate or Leigh*, in the Wilde of *Surrey*.

XIX. Stat. 13 El. 25. All Woods or Copices intended by the Stat. of 35 H. 8, 17. to be enclosed, and the springs thereof preserved, shall be so saved by the space of two years more than in the several clauses of the said Act is severally limited, according to the age of such Woods felled, upon such pains as in the said Act are contained: And none shall put any Cattel into any such Woods from the time of their fall untill the end of 5 years; nor in the end of 5 years, any Cattel but Calves and yearling Colts untill the end of six years, if the Wood was under 14 years growth at the last fall, or untill the end of 8 years, if it was above 14 years growth. And this Addition shall continue as long in force as the said Statute of 35 H. 8. 17.

Stat. 15 El. 5. None shall convert into Coal or other
fuel, for the making of Iron or Iron-metal, any Wood or Under-
wood growing within the compass of 22 miles of London or the
banks thereof, or of the River of Thames from Dorchester in Com.
Kent downwards, or within four miles of the foot of the Downs,
betwixt Arundel and Pemsey in Com. Sussex, or of Winchelsey, or Rye,
within two miles of Pemsey, or 3 miles of Hastings; in pain to
forfeit for every load so converted 40 s. to be divided betwixt the
King and the Prosecutor.

XXI. This Act shall not extend to any Woods growing in any
part of the Wildes of Surrey, Sussex or Kent, within 22 miles
of London or Thames, as is distant above eighteen miles from London
or Thames.

XXII. No new Iron-works shall be erected within 22 miles of
London, 14 miles of Thames, or four miles of the said Downs, Pemsey,
Winchelsey, Hastings, or Rye, in pain of 100 l. to be employed as
before said.

XXIII. This Act shall not extend to the Woods of Christopher
Lord Gentleman in Newdigate, in the Wilde of Surrey.

XXIV. Stat. 27 El. 19. None shall make or set up within the
Counties of Sussex, Surry or Kent, any Iron-Mill, Furnace, Finary
or Blowing-mary, for the making of Iron or Iron-metal, other than upon
the old Bays or Pens, whereupon such works have been lately
standing, or else upon such land where such works may be con-
veniently furnished with sufficient supply of the parties own Woods,
growing upon his own soil, being his in Fee-simple, Fee-tail, or
life, without impeachment of a waste; nor shall convert to
any other or other Fewel, for the making of such Iron or Iron-metal,
any sound Timber-tree of Oak, Ash or Elm, which will bear a foot
square at the flub, or any part thereof: in pain to forfeit for every
new work set up 300 l. and for every Timber-tree so converted
40 s. to be divided betwixt the King and the prosecutor.

XXV. Howbeit, the lops and offal of such Timber-trees may be
converted to Coal for the purposes aforesaid within the Wildes of
Sussex, Surrey and Kent; so as it be not within 18 miles of London,
22 miles of Thames, four miles of Rye or Winchelsey, 3 miles of
Hastings, or four miles of the foot of the Downs, betwixt Arundel
and Pemsey aforesaid.

XXVI. Stat. 15 Car. 2. cap. 2. Constables, Headboroughs and
other inhabitants in any County, City, or Town Corporate, &c. may
arrest whom they suspect having or conveying any wood, Lin-
wood, poles, or young trees, Bark or bast of trees, or any
stiles, posts, pales, rails, hedgewood, broom or Furze; and
upon Warrant from a Justice of Peace or any Officer, such Officer
may search the houses and other places belonging to those they suspect,
where they find any, may carry persons suspected for cutting and
conveying the same, before a Justice of Peace of the County, City or
Town corporate, where if they give not such account how they
came

came by them as doth satisfie the said Justice, or his convenient time to be set by the Justice, produce not the party of whom they bought the same, or some witness to depose upon Oath such fact, shall be deemed as convicted within the meaning of 43 Eliz. cap. 7. and be liable to the punishment therein contained, and such other punishment as by this Act is appointed, viz. for the first Offence they shall make such recompence and within such time as the said Justice shall appoint; and pay to the Overseers for the Poor of the Parish where the Offence was committed, such sum, not exceeding 10s. as the aforesaid Justice shall think meet: and in default thereof be committed to the house of Correction, for any time not exceeding a month, or be whipped; and for the said offence shall be sent to the House of Correction a month, and be kept to hard labour; and if convicted of a third offence, they shall be deemed incorrigible Rogues.

XXVII. If any Justice of Peace, Mayor, Bailiff, or Head Officer, find upon examination upon Oath, that any person bought such wood, &c. of one who might justly be suspected to have unlawfully come by the same, and that the same was unlawfully come by, they may award the party that bought the same to pay the treble value to him from whom the same was unlawfully taken. And in default of present payment, may levy the same by Distress and sale of Goods, and for want of such Distress may commit to Goal at the parties own charge, for a month.

XXVIII. None shall be questioned upon this Law that have been punished for the same offence by any former Law, nor after 6 weeks after the offence committed.

Vide the Stat. of 43 Eliz. cap. 7. to which this Act refers, in Trespass. *Sess. VII.*

XXIX. Stat. 20 Car. 2. cap. 3. An Act for the increase and preservation of Timber within the Forest of Dean. Vide the Stat. at large.

Wools.

I. Stat. 18 E. 3. Stat. 2. 3. Every man (as well stranger as other) may buy Wools as they can agree with the seller thereof.

II. Statutum Stapil. cap. 12. None shall transport Wool, Leather, or Wool-fels, to Berwick, or elsewhere into Scotland; neither shall any sell Wool, Wool-fels or Leather, to any Scotchman, or to any other to be transported into Scotland; upon the paines contained in the third Article of this Statute: which see in the Statutes at large.

III. Stat. 31 E. 3. 2. No Wools shall be bought by fraud to abate the price thereof, upon grievous forfeiture: also balances and weights for Wools (viz. of the sack, half-sack, and quarter; pound, half-pound, and quarter) shall be sent to all the Sheriffs of England, according to the Statute at large.

according to which every person shall make theirs without Fee or Reward: and none shall buy or sell by any other weight, in pain to be fined at the King's will.

IV. Stat. 31 E. 3. 8. No buyer of Wools shall make any other make of Wools than hath been heretofore used, viz. of Cot, Gare, and Villain fleeces: and every sack shall contain 16 stone, and the sack 14 pound, according to the Standard of the Exchequer. Also all Wools, Fels, and Leather, bought in the Countrey, shall be brought to the Staples, and there shall remain 15 days at least; and those that cannot be sold in that time, shall be brought to the Ports ordained for the Staple, to be transported beyond Sea, paying the due Customs and Subsidies, viz. for a sack of Wool 50 s. for 300 Wool-fels 50 s. and for a last of Leather 100 s.

V. No Wools vendible shall be lodged, shewed or sold within three miles of the Staple: Howbeit, every one (but a Merchant) may lodge, shew and sell his Wools (being of his own growing) in his own house, or elsewhere at his pleasure.

VI. Stat. 31 E. 3. 9. The Chancellor and Treasurer, with the advice of others of the King's Council, shall have power to defer the transportation of Wools, when they see it needfull.

VII. Stat. 34 E. 3. 19. No Custome or Subsidy shall be paid for Carvas to pack Wool in.

VIII. Stat. 36 E. 3. 11. All Merchants may transport Wools without restraint; and no Subsidy or other charge shall be from henceforth set or granted upon Wools by Merchants or others, without assent in Parliament.

IX. Stat. 38 E. 3. Stat. 1. 16. A Repeal of the Felony imposed by the Stat. of the Staple, cap. 3. 27 E. 3. (which see in Merchants) in transporting of Wools, &c. by English-men; but the forfeitures of Lands and Goods shall stand.

X. Stat. 43 E. 3. 1. Whereas the Staple of Wools, &c. hath been holden at Calice since the first of March Anno 37 E. 3. that Staple shall be wholly put out, and the Staple shall be holden in the places following, viz. at Newcastle, Kingston upon Hull, Saint Ralph (alias Boston,) Tarmouth, Quinborough, Westminster, Chichester, Winchester, Exeter and Bristol; and the Staples of Ireland and Wales shall be kept at the places where they were first ordained.

XI. Stat. 45 E. 3. 4. No imposition or charge shall be put upon Wools, Wool-fels, or Leather, (other than the Custome and Subsidies granted to the King,) without assent of Parliament.

XII. Stat. 13 R. 3. 4. *pars inde.* None shall buy or sell Wool more weight than at 14 pounds to the stone; in pain to forfeit the double to the party grieved, and to make fine to the King.

XIII. None (Alien or Denizen) shall make any other refuse of Wool, but Cot, Gare, or Villain.

XIV. None shall buy Wool by these words, *good packing*, or the like, in pain that the Broker shall suffer half a year's imprisonment,

and the buyer shall make fine to the King, and recompense the party grieved his double damages: neither shall any cause Wools to be coquetted but in the Owner's name, in pain to forfeit the same.

XV. Stat. 2 H. 5. Stat. 2. 6. Merchandise of the Staple, viz. Wools, Fels, Leather, Lead, or Tin, shall not be transported beyond Sea without the King's license, untill they be first brought to the Staple, in pain to forfeit the same. *Obsolete.*

XVI. Stat. 8 H. 5. 2. Every Merchant-stranger buying Wools in England to convey them to the West parts or elsewhere, and not coming to the Staple to sell them there, shall bring to the Master of the Mint for every sack an ounce of Gold bullion, and for every three pieces of Tin another such ounce of Bullion, or the value in Silver bullion; in pain to forfeit such Wool and Tin, or the value thereof, to the King. *Obsolete.*

XVII. Stat. 8 H. 6. 22. No Alien shall cause any Wools (which he intends to convey out of the Realm) to be forced, clacked, or bearded; in pain to forfeit the same, together with the double value thereof, and besides to be imprisoned.

XVIII. Every Wool packer shall make good and due packing, and neither he nor any other shall make any inwinding within the fleece at the roling thereof, nor put therein any locks, pelt-wool, tar, sand, earth, glafs, or dirt; in pain that the party grieved shall have his Action of trespass and deceit against such Offender at the Common Law.

XIX. Stat. 14 H. 6. 5. Wools and all other Merchandize in Creeks to be transported beyond Sea shall be forfeited, whereof the King shall have one moiety, and the finder the other. *Obsolete.*

* XX. Stat. 23 H. 8. 17. None shall wind any fleece of Wool not sufficiently rivered or washed, nor wind therein any clay, lead, stones, sand, tails, deceitfull locks, cot, calls, comber, lambs-wool, or any other thing, whereby the fleece may be more weighy, to the deceit of the buyer; in pain that the seller of any such deceitful Wool shall forfeit for every fleece 6 *d.* to be divided betwixt the King and the finder.

XXI. This Act shall not extend to such Counties where the inhabitants have not customably used to river or wash their sheep before they be shorn, nor to any persons who have used to sell their Wool by tale or number of the Fleeces, and not by weight.

XXII. Stat. 37 H. 8. 15. All persons are restrained to buy Wools in Norfolk, and divers other Counties there mentioned, except Merchants to convey them to the Staple, or others to convert them into Yarn, Hats, Girdles, or Cloth. *But this Statute is now expired.*

XXIII. Stat. 1 E. 6. 6. Every person dwelling in Norfolk or Norwich may buy Wools of Norfolk growth, as well as they might have done before the Statute of 37 H. 8. 15. so as they sell or receive the same again, in some open Market or place in Norfolk or Norwich to some person or persons (dwelling also there) that will there receive the same.

XXIV. Stat. 2 & 3 P. M. 13. Any Inhabitants of *Halifax* may carry Wools, (otherwise than by ingrossing and forestalling,) so as they carry the same to *Halifax*, and there sell them to such poor workmen of that or other Parishes adjoining, (as to their knowledge) to work them in Cloth or Yarn; and not to the rich Cloathier or any other to sell again.

XXV. If the Wool-driver shall sell his Wools out of *Halifax*, or if he buy Wools in *Halifax*, to sell the same unwrought in Yarn or Cloth, every such Offender shall forfeit the double value of the Wool so sold or uttered, whereof the King and the Queen is to have one moiety, and the Prosecutor the other: And Justices of Peace at Sessions have power to hear and determine these offences.

XXVI. Stat. 12 Car. 2 cap. 32. None shall export or load on any Carriage, or lay on-board any Vessel to export out of *England*, *Wales*, *Town of Berwick*, *Fersey*, *Gernsey*, *Sarke* and *Alderney*, or *Ireland*, or any places out of the places aforesaid, any Sheep, Wool of the growth of the said places, Wool-fels, Morlings, or Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth, or Fullers-clay, on pain to forfeit the same, and 20 s. for every Sheep, and 3 s. for every pound weight of the other Goods. And the Owners of such Ships committing such Offence, to forfeit all their interest in the said Ships, and Masters and Mariners assisting thereto, all their Goods, and to be imprisoned for 3 months. The one moiety of which forfeitures to the King, the other to the Informer suing in any Court of Record, or before the Justices of Assize, or General Quarter Sessions.

XXVII. They that shall transport or cause to be transported any of the Goods aforesaid, and be thereof convicted, shall be disabled to require any debt belonging to them.

XXVIII. Offences against this Act may be determined in the County, where committed, or where such Offenders are apprehended.

XXIX. The Offenders shall not be impeached, unless within a Year after the offence committed.

XXX. Any may seize to their own use and the King's any of the Goods aforesaid laid on Board or packed or loaded on any Carriage, or laid near any water to be conveyed into *Scotland*, but such persons shall not give evidence against any that shall be questioned by virtue of this Act.

XXXI. All Vessels whereof any Alien or natural born Subject not residing in *England*, shall be Owner or part-owner, wherein any of the Goods aforesaid shall be shipped contrary to this Act, shall forfeit to the King.

XXXII. Lambskins ready dressed are excepted, and necessities for the ships and persons therein.

XXXIII. None of the goods aforesaid shall be transported out of *England*, *Wales*, *Town of Berwick*, or *Ireland*, into *Fersey*, *Gernsey*, *Sarke*, or *Alderney*, onely Wool from the Port of *Southampton*, for

the use of the Inhabitants of those Isles, and they that ship the Wool shall beforehand deliver to the Customer, Controller, Surveyor, or Searcher of the said Port, a writing under the Seal of the respective Governours of the said Isles, or their Deputies, purporting that such party is authoriz'd to export so many number of Tuns and hath entered into sufficient Bond to his Majesty's use for landing them in that Isle. The Wool so exported not to exceed their quantities, viz. unto *Jersey* 2000 Tods of uncleaned-wool, to *Guernsey* 1000, to *Alderney*, 200, to *Sarke* 100.

XXXIV. The Customer of the Port of *Southampton*, shall keep an account of the Wools so permitted to be loaden, on pain to forfeit 100 *l.* to him that will sue for the same, and to lose his place. And if any of the Governours aforesaid, or their Deputies make licence to export more, they shall forfeit 20 *l.* for every Tun licensed above the proportion aforesaid.

XXXV. No more than 12 *d.* shall be taken for writing such licence and entering a remembrance of it, on pain of 5 *s.* for every penny taken over, to the party grieved. Confirmed, 13 Car. 2. cap. 1.

XXXVI. Stat. 13 & 14 Car. 2. cap. 18. If any persons export out of *England*, *Wales*, or Town of *Berwick* or *Ireland*, any such Wool of the growth of the said places, or any Wool-fells, *Moor*, *Shorlings*, *Yarn* made of Wool, *Wool-flocks*, *Fullers-earth*, *Fulling-clay*, or shall pack or load upon any carriage, or lay on board in any vessel any such sheep, wool, &c. to export the same, every such offence shall be adjudged Felony.

XXXVII. Owners of such Vessels and of Horses, Carts or Carriages, upon which the sheep or other the Goods aforesaid shall be exported, or carried to such intent, knowing thereof, and consenting therunto, and also Masters and Mariners of such Vessels, who in any sheep or other the said Goods shall be so exported or laid on Board to any such intent, and all other persons whatsoever, knowing thereof and consenting thereto, shall be adjudged Felons.

XXXVIII. Offences against this Act shall be tried and determined in the County where such sheep and other the said Goods shall be packed or laid on Board, or where such Offender shall be apprehended.

XXXIX. Peers of the Realm enlisted for any Offence made Felony by this Act shall be tried by their Peers.

XL. None shall be impeached for any Offence made Felony by this Act unless within a year after such offence committed.

XLI. None shall press together with any skrues, presses or Engines, into any sack, bag, &c. nor shall put, or press any Wool or Yarn made of Wool into any cask or vessel, nor shall lay the same to be laid near the shore or coasts of the Seas or any Navigable River, or into any house or place adjoyning thereunto any such wool, wool-flocks, or yarn made of wool, to export the same, on pain to forfeit it, or the value.

III. No Tobacco-pipe-clay shall be exported out of *England*, *of Berwick*, *Ireland*, or *Wales*, under the penalty of 3*s.* for every pound exported contrary to this Act.

IV. No Packs, Bags or Cask of Wool, Wool-fels, Worlles, Yarn made of Wool, Wool-flocks, Fullers-earth, Fulling-stone, or Tobacco-pipe-clay shall be laid on any horse, cart or other carriage, or conveyed to or from any place in *England*, *Town of Berwick*, *Wales*, or *Ireland*, but at seasonable hours, viz. from the 1st of *March* to the 29th of *September* yearly, between the hours of 6 in the morning, and 8 in the evening, and from the 29th day of *September*, to the 1st. of *March* yearly, between 7 in the morning and 6 in the evening, on pain to loose all such Goods or the value thereof; the one moiety of all which forfeitures mentioned in this Act shall be to the use of the King, the other moiety to the Prosecutor.

V. This Act shall not make void any Penalties or Clauses in Stat. of 12 *Car. cap. 32.*

VI. Owners of any Vessel, or any Master or Mariners knowing of any transportation, that within three months after such knowledge of their return into *England*, or *Ireland*, *Town of Berwick* or *Wales*, shall give the first information thereof before any of the Judges of the Exchequer of *England*, or *Ireland*, or the Head Officer of any Port, where they shall first arrive, upon Oath of the number and quantity of the Goods so transported and by whom, where, and in what Vessel, and afterwards shall be ready to prove the same, shall not be punished for Felony, but shall be subject to all other penalties in this Act contained. And all such transportation or conveying of the Goods aforesaid is declared to be a common nuisance.

VII. Justices of Assize, Justices of Gaol-delivery, and Justices of the Peace in their General Quarter Sessions, may determine the penalties. And all Mayors and other Head Officers of Cities, Boroughs and Towns not having Jurisdiction to try Felony, shall be liable of every offence within this Act not made Felony.

VIII. Stat. 13 & 14 *Car. 2. cap. 19.* An Act against importing foreign Wool-cards, Card-wire, &c. *tit. Merchants and Merchandize, Sect. XCIV.*

Widows, Widows, Widows and Widows.

I. Magna Charta, 7. 9 *H. 3.* A Widow immediately after her Husbands death shall have her marriage and inheritance and shall have nothing for her Dower, marriage, or inheritance which her husband and she held the day of his death.

II. Also she shall remain in the chief house of her husband forty days after his death, if the house be not a Castle; within which 40 days her Dower shall be assigned her, if it were not assigned her before.

III. If the house be a Castle, and she depart from thence, then she shall have a convenient house be forthwith provided for her, where she

may conveniently dwell untill her Dower be assigned, and in the mean time she shall have reasonable estovers of the common: And her Dower shall be assigned unto her the third part of all the lands which was her husband's in his life-time, unless she were before dowered of less at the Church-door.

IV. No widow shall be constrained to marry her self, while she will live without a husband: Howbeit, she shall find surety that she shall not marry without the King's licence and assent, if she hold of the King, nor without the assent of the Lord, in case she hold of another.

V. *Error. Bents, 4 17 E. 2.* The King shall assign Dower to the Widows of his Tenants in chief, albeit the heir be at age, (if the Widows will:) and such Widows before the assignment of the Dower shall swear, that they will not marry themselves without the King's licence, whether the heirs be of full age or not.

VI. If they marry without licence, the King shall seize (by way of distress) the land they held of him in Dower, untill he be satisfied at his own will, so that they shall take nothing of the land thereof: For by such distresses they and their husbands married at his will, which in the time of *H. 3.* was estimated one year's value of her Dower.

VII. Women that hold any inheritance of the King in chief (of what age soever they be) shall likewise swear not to marry without the King's licence: And if they do, their lands shall be seized as aforesaid; untill the King be satisfied at his will.

VIII. *Stat. 31 H. 6. 9.* Where any person or persons take women by force, or otherwise (by perswasion) get them into their possession, and when they so have them, will not suffer him to go at large, untill they have bound themselves by Obligations of a Rute-Merchant in great sums of money to them or others to their use, and many times compell them to be married against their willings, and levy such sums upon their Lands: in these cases, the King's bliger shall have a Writ out of the Chancery, containing the manner of such evil usage, directed to the Sheriff of the County where the offence is committed, to make Proclamation in full County, and in the next County Court after the receipt of the Writ, that the Offender shall appear at a certain day prefixed in the Writ before the Lord Chancellor, or otherwise before the Justices of the Assize in the County where the offence is done, or else before some other person thereunto assigned by the Lord Chancellor: at which day the Offender appear, the said Chancellor, Justices, or other person shall duly examine the parties upon the premisses: and if it be found that the Obligations were so made, they shall be void; otherwise, they shall stand in force. Also if the Offender appear, they shall likewise be void, as also all the proceedings thereupon.

IX. Here, if the Sheriff be remiss in the execution of the Writ, he shall forfeit 300 *l.* to be divided betwixt the King and the party that purchased the same Writ.

Stat. 4 & 5 P. M. 8. None shall take or convey, or cause to be taken or conveyed away any Maid, or Woman-child unmarried, being within the age of 16 years, out of the custody and against the will of the Father or Mother of such child, or of the person to whom the Father of such child (by his last Will or other testament in his lifetime) hath appointed the governance of such child, except such taking shall be by or for such person as (without fraud) shall be Master or Mistress of such child, or her Guardian in Socage or Military, in pain of two years imprisonment without bail, or else to pay such fine as shall be assessed by the Queen's Council in the Star-Chamber.

XI. None shall take away and deflower any such child, or, against the will of her Father, if he be living, or of her Mother, (having the custody of her if the Father be dead,) contract Matrimony with such child, (except by the title of Wardship,) in pain to suffer years imprisonment, or else to pay such Fine as shall be assessed by the said Council in the Star-Chamber.

XII. The said fines shall be divided betwixt the King and the Queen's Majesties, and the party grieved.

XIII. The said Council of the Star-Chamber and Justices of the Peace have power to hear and determine these offences.

XIV. If any such child, above the age of 12 years, and under the age of 16 years, do consent to any such contract of Matrimony, next of the Kin, to whom her Inheritance should come, shall pay it during her life: but after her decease it shall revert to the Father, other than to him that did so contract Matrimony.

XV. Provided, that this Act shall not be prejudicial to any Custom or Authority concerning Orphans in London, or any other City, Borough or Town.

Worsted.

Stat. 17 R. 2. 3. Merchants and Workers of Cloaths called Worsted may transport Bolts thereof whither they please, except to the King's Enemies,) paying the Customs and Subsidies for the same, without paying the Customs of Calais; so as under the same they transport no double Worsted, half-double Worsted, Worsted ray or Motley, in pain to forfeit the same.

II. Stat. 7 E. 4. 1. The Worsted-weavers in Norwich shall yearly upon Monday after Pentecost, chuse four of the same Craft to be their Wardens for that City; and likewise those of the County of Norfolk, shall then also chuse four of the same Craft there to be their Wardens for the said County; which Wardens shall take their Oaths before the Mayor of Norwich, and the Steward of the Duchy of Lancaster, if the Steward be then resident in the said County; otherwise before the Mayor alone.

III. The said Wardens have power, for the year next ensuing, to regulate the Workmanship of the Artificers of that Craft, whether or

no they work well, and make their work of good stuff, and make to make Ordinances for the amendment of the said Worsted Craft: All which Ordinances shall be obeyed and kept by the said Artificers, in pain to be punished by four of the said Wardens in City or Country respectively, (calling to them six or other Artificers,) at the discretion of the said Mayor and Steward or one of them.

IV. Also the lengths and breadths of Pieces of Worsted shall be set down: *For which see the Statute at large.*

V. No Lambs-wool shall be put in Worsted: And the said Wardens have power to seize all such Cloaths, and Stuffs being defective.

VI. The Mayor and Steward aforesaid have power to hear and determine all offences committed against the said Ordinances, and at convenient times to call together the 82 Artificers to be sworn to make search of the stuff and work wrought and made by the said Wardens; and if they be found defective, either in their Cloth or work, to punish them as other Artificers.

VII. The Wardens have also power to make such search in the Countie of *Suffolk* and *Cambridge*, as well as in *Norwich* and *Norfolk*.

VIII. Defective Worstedes shall be forfeit; *viz.* (in *Norwich*) one half thereof to the Mayor there, or (in Corporations, or other places) to the chief Officers or Lord of the Manor, and the other half to the said Wardens. And Worsted-weavers shall set their proper marks woven upon their stuffs, in pain to forfeit them to the King.

IX. The said 8 Wardens shall yearly upon *Monday* next after *Corpus Christi* assign one, two or more places in *Norwich* and as many in *Norfolk*, and certain days by the week, to the said Worstedes, to be put to sale that year may be brought before the said Wardens to be searched. And if they find them well, they shall set a mark thereupon without fee, that the buyers may know which are well searched, wrought and made of good stuff. But if they shall find them defective, the said Mayor and Steward or one of them, shall impose such correction for such default as to them shall seem meet. And the price of every piece of Worsted sold, or marked, shall be forfeited by the first seller thereof.

X. All Mayors, Bailiffs, and other Officers, shall be aiding and assistant to the said Wardens in their search, as often as they shall be required by the said Wardens, or any of them, so to do.

XI. Stat. 11 H. 7. 11. Citizens of *Norwich* may take an apprentice the Son or Daughter of any person.

XII. Stat. 5 H. 8. 4. None shall dry Calender any Worsted in pain to forfeit for every piece 5*l.* neither shall any wet-calender any Worstedes, unless he has served 7 years as an Apprentice in that trade, and be approved by the Mayor of *Norwich*, and the Masters of that Craft in *Norwich* or *Norfolk*, upon the like penalty of 5*l.* for every piece calendered contrary to this Act. Which forfeitures shall be divided betwixt the King and the said Masters of the Craft of wet-calendering.

XIII. Stat. 14 & 15 H. 8. 3. A long Statute for Worsted-weavers in *Yarmouth* and *Lynn*: The Election, Oath and Authority of a Warden for *Yarmouth*: Every person shall make his Worstedes, Sayes, &c. with his several marks: The Election, Oath and Authority of a Warden for *Lynn*: Every Worsted-weaver in *Lynn* shall be an *English-man* born, and shall have his proper mark: A Warden of *Norwich* or *Norfolk* shall come to *Lynn*, when there is no Warden there, and his allowance by the day of his charge in coming thither: What names or additions the parties grieved shall use in their petitions, whereupon the particular bodies of the Wardens or Inhabitants may be put in execution: Cloaths marked by Wardens of *Lynn* or *Yarmouth* may be lawfully put to sale: What apprentices Worsted-weavers in *Lynn* and *Yarmouth* may take. This Statute shall not be prejudicial to the Mayor of *Norwich* or the Wardens there, who shall sheer, dye or calender any Worstedes, Sayes, &c. save only in *Norwich*: Neither shall any such Stuffs be transported before they be shorn, dyed and calendered. See the Stat. at large.

XIV. Stat. 25 H. 8. 5. The Statute of 5 H. 8. 4. is made perpetual, and none that dyeth Worstedes, Stamins or Sayes, shall use to calender them, in pain to forfeit for every piece 40 s. to be divided into three parts, whereof the King is to have one, the Mayor of *Norwich* another, and the Prosecutor a third.

XV. Stat. 13 & 14 Car. 2. cap. 5. For regulating the making of *Norwich* stufes in *Norwich* and *Norfolk*, there shall be 12 Wardens, and 30 Assistants; all Master Weavers in *Norwich* and *Norfolk*, half of which shall be chosen yearly the next Munday after Pentecost, by the Master-weavers, or greater part of them present, of the City of *Norwich*, the other half upon the same day by the Master-weavers, or greater part present of the County of *Norfolk*, which Wardens within 14 days after notice of their Election shall take this Oath before the Mayor of the City or his Deputy, and the Under-steward of the Duchy of *Lancaster* within the said County, if present, viz.

I A. B. do swear that I will well, faithfully and honestly perform and discharge the Office of a Warden of the said trade of Worsted-weavers, according to the best of my skill, power and knowledge.

And the Assistants accordingly for the execution of that Office of an Assistant. If any Warden refuse to swear, or dye before the end of his year, the Master-weavers may chuse others.

XVI. The said Wardens and Assistants or 13 of them, whereof even to be Wardens, may meet and consult as oft as they think fit, when it shall be desired by 8 of the Assistants, and make Ordinances for the regulation of the said stufes; and make Seals for sealing them (which Ordinances confirmed by the Mayor and two Justices of the Peace of the City, and three others of the County, whereof one to be of the *Quorum*, shall be published four times a year, at four Assemblies for the said trade) and may impose Fines for not conforming to such Ordinances, not exceeding 10 s. for one Offence,

XVII.

XVII. The Wardens, &c. of the City shall give personal notice to them of the County, or two of them, when they intend to meet, &c. and set it up upon the door of their Sealing Hall 14 days before.

XVIII. Worsted yarns and other yarns used by Worsted-weavers, shall be reel'd on a reel of a yard about, every reel-staff shall contain 14 leas, every lea 40 threads, 12 reel-staffs shall make a dozen, and 12 dozen a gross. They that sell or expose to sale the said yarns made or reeled otherwise, shall forfeit half the value to the use of the Trade, charges of suit deducted.

XIX. The Wardens and Assistants, or two of them, may search in publick places of sale, and seize defective yarns and bring them within 20 days to a Trial by Jury, which Jury may set Fines on the yarns, not exceeding half their value, to go to the poor of the Trade. No person shall be punished by this and the former Clause for the same Offence.

XX. All Stuffs in which there is wool in *Normich* and *Norfolk*, shall be under the Regulation of the said Wardens and Assistants except such as are under the Regulation of the Wardens and Fellowship of the Mystery of Russel Sattens, Sattens reverses, and Fustians of *Normich* making within *Normich*. All stusses under the said Regulation before they are offered to sale shall be brought to Weavers-Hall in *Normich*, to be searched by the Wardens or two of them, and if found according to the Ordinances of the Trade, shall be sealed and allowed without paying any thing, if defective, shall be seized and tried by a Jury of 12 Artificers (6 of the City, and 6 of the County) to be impannelled by Precept under hand and Seal of the Mayor or his deputy, (the number, in case of failure to be made up of the Master-weavers of either place by precept from the Mayor) who may set a Fine not exceeding the moiety of the value: the Fines to go to the use of the Trade, and the stusses to be detained till the Fines paid: and for want of payment in 40 days after trial, to be sold, rendring the overplus upon demand.

XXI. If any Warden seal stusses that shall afterwards be found defective by a Jury of 12 Artificers to be impannelled before the Mayor or his Deputy and the Steward of the Duchy of *Lancaster*, if present, of which 6 to be of the City and 6 of the County; the said Jury may set Fines not exceeding 40 s. for every stusse, upon such Warden. And such Jury may enquire into the miscarriages of the Wardens and Assistants and punish them, as they do others: but the Wardens and Assistants shall have double damages for any unjust molestation.

XXII. None shall buy stusses unsealed, and they in whose possession any stusses unsealed are found, except the first owner or maker, shall forfeit for every piece 4 s. and the maker or seller, that shall deliver them unsealed, other 4 s. for the use of the poor of the Trade.

XXIII. Persons convicted by confession or Oaths of two witnesses before the Mayor or his Deputy, or any Justice of Peace of the City

County, of counterfeiting the said Seal, or sealing stuffe with a counterfeit Seal, or removing the Seal from one piece to another, shall forfeit 20 l.

XXIV. They that use the said Trade, not having served as Apprentices 7 years, shall forfeit 40 s. for every month, half to the King, half to the prosecutor.

XXV. Every person shall forfeit 3 s. to the poor of the Trade for every piece by him woven without his proper mark at the head-end of it.

XXVI. The Wardens and Assistants or two of them may search the houses, &c. of any dealing in the said Stuffs, and of Dyers, Sheermen, Callenders, or other Work-men, and seize defective stuffes, and bring them to trial as aforesaid.

XXVII. They that employ two Apprentices in the said Trade, shall likewise employ two Journey-men; no Master-weaver shall set on work above two Apprentices, or any week-boy in a Loom, on pain to forfeit 5 l. for every month.

XXVIII. Persons convicted by Oath of one witness before the Mayor or his Deputy, or any Justice of Peace of the City or County, of hindring the Wardens or Assistants to execute their Office shall forfeit 40 s.

XXIX. If any summon'd to appear on any Jury or Trial, refuse, they shall forfeit 5 s. to the poor of the Trade. All penalties and forfeitures appointed to the poor by this Act, the recovery whereof is not already set forth, shall be levied by Distress and sale of Goods by Warrant from the Mayor or his Deputy, or any Justice of Peace of the City or County, or otherwise be recovered by action of debt, bill, plaint, indictment, or information in any Court of Record.

XXX. Every Weaver that shall set any Loom on work from 15 of August to 15 of September yearly, shall forfeit 40 s. for every Loom used within that time.

XXXI. The Wardens shall make a true account at the four Assemblies to be held Quarterly, before the Mayor of the City and one Justice of Peace of the City and two of the County, of all Fines and forfeitures received, and of all disbursements, touching the said Trade. What remains shall be divided, the one half to be disposed by the Wardens and Assistants of the City, the other by those of the County, for the poor of the Trade, as the Mayor and Justices shall direct.

XXXII. The Weavers of Great Yarmouth and Lynn, shall not be compelled to bring their Wares to Norwich to be sealed, and shall retain such Liberties and Privileges as are granted to them by any Act of Parliament or Charter.

Check.

I. Test. r. 4. 3 E. r. Where a man, dog or cat escape alive out of th Ship, neither the Ship or other Vessel, nor any thing therein, shall

shall be adjudged Wreck, but the Goods shall be saved and kept by the Sheriff, Coronors, or the King's Bailiffs, and delivered to the Inhabitants of the Town where the Goods are found; so that if any within a year and a day sue for those Goods, and after prove that they were his at the time of the Shipwreck, they shall be restored to him without delay: but if not, they shall be seized by the said Sheriff, Coronors or Bailiffs, for the King's use, and shall be delivered to the Inhabitants of the Town, who shall answer before the Justices for the Wreck belonging to the King.

II. Also where the Wreck belongeth to another, he shall have it in like manner: and if any be attainted to have done otherwise, he shall suffer imprisonment, make fine to the King, and yield damages.

III. If a Bailiff do it, and it be disallowed by his Lord, the Bailiff shall answer for it, if he have whereof; but if not, the Lord shall deliver his Bailiff's body to the King.

IV. *Prerog. Reg.* 11. 17 E. 2. The King shall have Wreck of the Sea, Whales and great Sturgeons taken in the Sea, and elsewhere throughout the whole Realm, except in places privileged by the King.

Writs, and abatements of Writs.

I. *West.* 2. 24. 13 E. 1. *pars inde.* Where in the Chancery in one case a Writ is found, and in another case, falling under like law, and requiring like remedy, there is found none, the Clerks of the Chancery shall agree in making the Writ, or the Plaintiffs may adjourn it untill the next Parliament; and then the cases being written in which they cannot agree, let them refer themselves to the next Parliament, where (by the consent of men learned in the Law) a Writ shall be framed: lest the King's Court should fail to administer Justice to Complainants.

II. *West.* 2. 49. 13 E. 1. *pars inde.* Where the Law faileth, let Suitors should depart from the King's Court without remedy, Writs shall be provided in their cases.

III. *Stat.* 6 R. 2. *Stat.* 1. 2. If in Writs of debt, accompt, and the like, it shall be declared, that the Contract thereof was made in another County than is contained in the Original Writ, such Writ shall be abated. *Vide Title Arrests. Num.* 4.

Parn.

I. *Stat.* 8 H. 6. 23. None shall export any Thrums or woollen Yarn under colour of Thrums, in pain to forfeit the double value thereof.

Parnmouth.

I. *Stat.* 20 Car. 2 cap. 2. Enacted, that for 10 years from the

of June next, there shall be paid by the Master of any Ship or Vessel unloading at the Haven of Great Yarmouth, at the time of the unloading, for every Chaldron of Coals (Winchester measure,) Last of Wheat, Rye, Barley, Malt, or other Grain, and for every weigh of Salt, and every Tun of other Goods and Merchandize, (Cod-Fish, Ling, Herrings, and other Fish onely excepted,) such sum not exceeding 12 *d.* as the Bailiffs, Aldermen, Burgeses and Commonalty of the said Borough of Great Yarmouth shall appoint.

II. That the said Bailiffs, &c. may for the said term of 10 years nominate Collectors and Receivers of such money, who shall pay what they receive to the Chamberlains of the said Borough, to the intent and purpose aforesaid.

III. There shall be eight Commissioners appointed to inspect the receipts and disbursements, two of which to be appointed yearly by the said Bailiffs, &c. other two by the Mayor, Aldermen and Commonalty of Norwich, other two by the Justices of Norfolk, and other two by the Justices of Suffolk, at the respective Sessions in Norfolk and Suffolk; who shall take account of all Collectors, Receivers, &c. The said Collectors and Receivers to be allowed for their pains in receiving the said moneys what the said Bailiffs, &c. shall think fit, not exceeding 2 *d.* in the pound. And the said Collectors may at all seasonable times enter into any Ship or Vessel within the said Haven, to inform themselves what Goods shall be in the same unladen or thereof.

IV. If the Master of any Ship or Vessel shall not pay according to the intent of this Act, the said Collectors and Receivers, by Warrant from the Bailiffs of Great Yarmouth, may take and detain such Ship or Vessel with all her Tackle, Apparel and Furniture, and the same keep till satisfied of the said money. And in case of neglect or delay of payment within 10 days after Distress, the said Collectors may sell the said Distress, and therewith satisfy themselves, as well for the Duty, as for the reasonable charge in taking and keeping such Distress, rendering the surplus, if any be.

V. Oils and Fish-livers obtained in any Fishing Voyages, and Remains of Salt, Bread, Beer, and other Provision taken into any Ship for accomplishing Fishing Voyages, or for the maintenance of the Master and Mariners upon any other Voyage, shall be exempted from payment of the said Duty.

VI. That at the next Quarter-Sessions which shall be after the first of May next holden at the Castle at Norwich, three persons shall be chosen for Norfolk, the like number for Suffolk, at the Quarter-Sessions at Beckles, 2 by the City of Norwich, and 2 by the Town of Great Yarmouth, who are authorized to meet at Great Yarmouth before the 29th of September next, and to adjourn as occasion shall require: which ten persons or any five of them, may treat and contract with any persons concerning the present repairs of the Haven or

Peer

Peer there, and keeping the same in good repair for 7 years and at the end thereof so to leave the same. And if such Contract be made before the 25th of December next, then the imposition to be levied by this Act shall continue no longer than till the sum necessary for performance of such Contract shall be raised and paid: but if such Contract be not made before the 25th of December, then the same shall be repaired by the direction of the Bailiffs, Aldermen, Burgeses and Commonalty of Great Yarmouth in Common Council assembled for the time being, and the money raised to be accounted for as in the former part of this Act is directed.

VII. If by the annual imposition the Peer shall be repaired in less than 10 years, then the said imposition shall cease, when the sum employed in the repair shall have been raised thereby.

VIII. Stat. 29 Car. 2. cap. 10. The Bailiffs, Aldermen, Burgeses and Commonalty of Yarmouth in Common Council, for 7 years after the expiration of the powers in the former Act, may levy such sums as they think fit, not exceeding 6 d. on every Chaldron of Coals (Winchester measure,) and every Last of wheat, rye, barley, malt, or other Grain, and for every weigh of Salt, and Tun of other Goods, Fish excepted, which shall be unladen in that Haven; to be expended for the maintenance of the Haven of Peers. All the powers and directions in the former Act are hereby revived, except the last Clause, and such clauses as appoint days and times for the meeting of Commissioners for making a Contract and taking the Accounts.

IX. At the Quarter Sessions for Suffolk and Norfolk, next after the 25th of December next, and by the Corporations of Norwich and Yarmouth; such number of Commissioners shall be chosen as in the former Act is directed: who shall meet once a year, or oftner if occasion be, at Yarmouth to view the Peer, and inspect the accounts of moneys expended thereupon.

X. This Act to Commence from the 25th of March, 1678.

York.

I. Stat. 29 H. 6. 3. All Letters Patents granted to Citizens of York, to be exempt of the Offices of Mayoralty, Sherifffick, Chamberlain, Collector of Dismes and Quinzims, and Citizens for the Parliament, shall be void: and the Citizen who purchaseth or taketh such Exemption shall forfeit 40 l. to the King, and Mayor and Citizens of York.

II. Stat. 34 & 35 H. 8. 10. An Act for making of Coverlets within York, and none shall be made to put to sale in York-shire but onely in the Town of York; together with divers other good Provisions touching that Subject. For which see the Statute at large.

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- 9 Drapery.
- 10 Recognizance.
- 11 Assault.
- 12 Wax.
- 15 Customs, &c.

14 H. 6.

- 1 Nisi prius.
- 3 Justices of Assize.
- 4 Justices of Peace.
- 5 Wool.

15 H. 6.

- 1 Marshalsey.
- 3 Safe Condukt.
- 4 Accusation.
- 5 Attaint.
- 8 Ships.

18 H. 6.

- 1 Patent.
- 2 Attaint.
- 3 Batter.
- 5 Collectors.
- 6 Escheators.
- 7 Escheators.
- 8 Safe Condukt.
- 9 Appearance.
- 10 Sewers.
- 11 Justices of Peace.
- 12 Conspiracy.
- 17 Gauging.
- 18 Captains, &c.
- 19 Captains, &c.

20 H. 6.

- 1 Safe Condukt.
- 4 Customs, &c.
- 5 Customs, &c.
- 8 Purveyors.
- 9 Trial.

23 H. 6.

- 7 Northumberland.
- 8 Sheriff.
- 9 Sewers.
- 10 Sheriff.
- 11 Parliament.
- 13 Viſual, &c.
- 15 Parliament.
- 16 Gauging.
- 17 Escheators.
- 18 VVines.

27 H. 6.

- 5 Fairs and Markets.

28 H. 6.

- 5 Extortion.

29 H. 6.

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29 H. 6.
1 *Tork.*

31 H. 6.
4 *Aliens.*
5 *Officers.*
9 *Women, &c.*

33 H. 6.
1 *Executors.*
2 *Lancaster.*
7 *Attorney.*

39 H. 6.

Statutes of E. 4.

1 *Confirmation.*
2 *Sheriff.*

3 E. 4.
4 *Merchants.*

4 E. 4.
1 *Drapery.*
8 *Horners.*

7 E. 4.
1 *VVorstedes.*
2 *Drapery.*
3 *Drapery.*
5 *Tenure.*

8 E. 4.
3 *Jurors.*

12 E. 4.

1 *Sheriffs.*
2 *Bows.*
6 *Sewers.*
7 *Wears.*
8 *Viſual, &c.*
9 *Eſcheators.*

14 E. 4.
4 *Breakers of Leagues.*

17 E. 4.
1 *Merchant.*
2 *Fairs and Markets.*
4 *Tiles.*
5 *Drapery.*
6 *Sheriff.*

22 E. 4.
4 *Fish, Fishers.*
6 *Swans.*
7 *Forest.*
8 *Berwick.*

Statutes of 1 R. 3.

1 *Uses.*
2 *Taxes.*
3 *Escape, Forfeiture.*
4 *Jurors.*
6 *Fairs and Markets.*
7 *Fines.*
8 *Drapery.*
9 *Aliens, Merchants.*
11 *Bows.*
12 *Merchants.*
13 *Weights.*
14 *Accompt.*

Stat.

The second Table.

Statutes of 1 H. 7.

- 1 Uses.
- 2 Customs, &c.
- 4 Incontinency of Priests.
- 7 Felony.

3 H. 7.

- 1 Execution of Statutes.
- Indictments.
- Justices of Peace.
- Murder.
- 2 Felony.
- 3 Mainprize.
- 4 Uses.
- 7 Customs, &c.
- 8 Merchants.
- 9 Fairs and Markets.
- 10 Damages and costs.
- 11 Drapery.
- 14 Felony.

4 H. 7.

- 1 Sewers.
- 2 Gold and Silver.
- 3 Butchers.
- 10 Ships.
- 12 Justices of Peace.
- 13 Clergy.
- 14 Seals.
- 15 Havens and Rivers.
- 16 Isle of Wight.
- 20 Actions popular.
- 24 Fines.

7 H. 7.

- 1 Captains.
- 3 Weights.
- 4 Challenge.

11 H. 7.

- 1 Forfeiture.
- 4 Weights.
- 5 Southampton.
- 6 Customs.
- 9 Tindale.
- 11 VVorstedes.
- 12 Poor people.
- 13 Houses, &c.
- 14 Customs, &c.
- 15 Sheriff.
- 16 Sheriff.
- 17 Pheasants and partridges.
- 18 VVar.
- 19 Upholsters.
- 20 Discontinuance.
- 21 Attaint.
- 23 Fish, Fishers.
- 27 Fustians.

12 H. 7.

- 1 Apprenrice.
- 5 VWeight.
- 9 Merchants.
- 5 Clergy.

19 H. 7.

- 6 Money.
- 7 Brass.
- 8 Corporation, Taxes.
- 9 Process.
- 10 Prison, &c.
- 11 Hunters.
- 13 Riots, &c.
- 15 Uses.
- 18 Passage.
- 20 Damages and costs.
- 21 Silk.
- 23 Stilyard.
- 24 County and Turn.

The second Table.

<p>Statute of 1 H. 8.</p> <p>5 Customs, &c. 7 Coronor. 8 Escheator. 9 Stanes. 10 Escheators.</p>	<p>14, 15 H. 8.</p> <p>2 Aliens. 3 Worsteds. 4 Englishmen. 6 High-ways. 10 Hunters and Hunting. 11 Drapery. 12 Money. 13 Southampton.</p>
<p>8 H. 8.</p> <p>5 Captains, &c. 7 Drapery. 8 Victual, &c. 11 Physicians. 14 Oyl.</p>	<p>21 H. 8.</p> <p>3 Assizes 4 Executors. 5 Probat of Test. 6 Mortuaries. 7 Felony 11 Restitution. 12 Cables. 13 Residence. 15 Recoveries. 16 Aliens. 18 Newcastle. 19 Avowry. 20 Execution of statutes.</p>
<p>4 H. 8.</p> <p>2 Trial. 3 Furors. 6 Customs, &c. 7 Brass.</p>	
<p>5 H. 8.</p> <p>2 Drapery. 3 Drapery. 4 Worsteds. 5 Furors. 6 Physicians.</p>	<p>22 H. 8.</p> <p>2 Plumstead Marsh. 4 Corporation. 5 Bridges. 8 Aliens. 1 Egyptians. 1 Felony. 1 Aliens.</p>
<p>6 H. 8.</p> <p>4 Exigent and Utlawry. 6 Prison. 8 Drapery. 9 Drapery. 10 Sewer. 15 Patents. 16 Parliament. 18 Sheriff.</p>	<p>23 H. 8.</p> <p>1 Clergy. 2 Prison, &c. 3 Attaint. 4 Coopers. 5 Sewers. 6 Recognizance. 8 Havens and Rivers. 9 Citation. 10 Mortmain.</p>
<p>7 H. 8.</p> <p>4 Recoveries.</p>	<p>11 Cler.</p>

The second Table.

Clergy.
Passage.
Furors.
Process.
Damages and Costs.
Wool.
Havens and Rivers.

24 H. 8.

Forfeiture.
Damages and costs.
Paving.
Appeals to Rome.

25 H. 8.

Virtual, &c.
Clergy.
Worsted.
Felony.
Buffs.
Sewers.
Wild-fowl.
Sheep.
Books.
Residence.
Drapery.
Rome.
Rome.
Rome.

26 H. 8.

First-fruits, &c.
Wales.
Passage.
Wales.
High-ways.
First-fruits.
Lynn.
Clergy.
Treason.
Bishops.
Richmond.
First-fruits.

27 H. 8.

1 Towns.
4 Trial.
5 Chester, &c.
6 Horses.
7 Wales.
8 First-fruits.
10 Uses.
11 Clerks of the Signet.
12 Drapery.
13 Drapery.
14 Cordwainers, &c.
16 Informers.
17 Eccles. Jurisd.
18 Havens and Rivers.
20 Tithes.
23 Havens and Rivers.
24 Franchises.
26 Wales.
27 Monasteries.

28 H. 8.

1 Clergy.
4 Linen-cloth.
5 Corporation.
11 Tithes.
12 Palace.
13 Residence.
14 Weights, wines.
15 Trial.
16 Dispensation.

31 H. 8.

1 Partition.
2 Fish, Fishers, &c.
3 Customs and Usages.
4 Havens and Rivers.
5 Honours.
6 Ability.
10 Lords.
13 Monasteries.

32 H. 8.

1 Wills.
2 Limitation.

B b b

3 Ext.

The second Table

- 5 Execution.
- 7 Tithes.
- 9 Maintenance.
- 13 Horses, &c.
- 14 Ships.
- 16 Aliens.
- 17 Paving.
- 18 Towns.
- 19 Towns.
- 20 Franchises.
- 21 Days in Bank.
- 22 First fruits.
- 24 Saint Johns.
- 28 Leases.
- 30 Repleader.
- 32 Partition.
- 33 Entry lawfull.
- 34 Conditions.
- 35 Forests.
- 36 Fines.
- 37 Rents.
- 38 Marrimony.
- 40 Physicians.
- 42 Physicians.
- 43 Chester, &c.
- 47 First-fruits.

33 H. 8.

- 1 Counterfeit Letters.
- 3 Drapery.
- 4 Brass.
- 6 Cross-Bows.
- 7 Brass.
- 9 Plays.
- 12 Trial.
- 13 Chester, &c. Wales.
- 16 Norwich.
- 17 Flax and Hemp.
- 19 Drapery.
- 20 Treason.
- 21 Parliament.
- 22 Escheator.
- 23 Challenge, Trial.
- 24 Justice of Assize.
- 27 Corporation.
- 28 Residence.

- 29 Ability.
- 32 White-gate.
- 33 Hull.
- 36 Towns.
- 37 Honors.
- 38 Honors.
- 39 Courts.

34, 35 H. 8.

- 2 Receivers.
- 4 Bankrupts.
- 5 Wills.
- 8 Physicians.
- 9 Havens and Rivers, Severn.
- 10 York.
- 12 Paving.
- 13 Chester, &c.
- 14 Certificate of the, &c.
- 16 Sheriff.
- 17 First-fruits.
- 19 Pensions.
- 20 Recoveries.
- 21 Patents.
- 22 Informers.
- 24 Cambridge, &c.
- 26 Wales.

35 H. 8.

- 1 Crown.
- 2 Treason.
- 4 Towns.
- 6 Furors.
- 9 Wapping Marsh.
- 10 London.
- 11 Parliament.
- 13 Walsingham.
- 15 Cambridge, &c.
- 16 Wood.

37 H. 8.

- 1 Custos Rotulorum.
- 2 Hounslow-Heath.
- 3 High-ways.
- 4 Monasteries.

5 Ann

The second Table.

Attain.
 Burning of carts, &c.
 Clergy, Indictments.
 Usury.
 12 Tithes.
 14 Scarborough.
 15 Wool.
 16 Lancaster.
 17 Fines.
 18 Union, &c. of Churches.
 19 Wines.

Statutes of 1 E. 6.

Service and sacraments.
 Bishops.
 Horses, &c.
 Norwich, wool.
 Discontinuance of process.
 Patents.
 Union, &c. of Churches.
 10 Exigent and Outlawry.
 12 Challenge, Clergy, Dower, Felony, Treason.
 14 Monasteries.

2, 3 H. 6.

Service and sacraments.
 Captains.
 Sheriffs.
 6 Fish, Fishers, &c.
 8 Escheators.
 10 Malt.
 13 Tithes.
 14 Cross-bows, &c.
 15 Labourers, Victual.
 19 Holy-days.
 20 First-fruits.
 21 Matrimony.
 22 Customs, &c.
 24 Trial.
 25 County and Turn.
 26 White-ashes.
 27 Steel.
 28 Fines.

30 Rye and Winchelsea.
 31 Chester, &c.
 33 Clergy.
 34 Sheriff.
 37 Brass.

3, 4 E. 6.

1 Custos Rotulorum.
 2 Drapery.
 3 Approvements.
 4 Grants.
 8 Sewers.
 10 Books.
 13 Bishops.
 19 Calves.
 21 Butter.

5, 6 E. 6.

1 Service and Sacraments.
 3 Holy-days.
 4 Fighting and quarrelling.
 6 Drapery.
 8 Drapery.
 9 Clergy.
 10 Clergy.
 11 Treason.
 12 Matrimony.
 13 Ability.
 14 Foresters, &c.
 15 Cordwainers, &c.
 16 Officers.
 19 Exchange.
 22 Gigmils.
 23 Upholsters.
 24 Norwich.
 25 Ale-houses.

7 E. 6.

1 Receivers.
 3 Patents.
 4 First fruits.
 5 Wines.
 7 Fuel.
 15 Durham.

The second Table.

Statutes of 1 M.

Parl. 1. Sec. 2.

1 Felony, Treason.

1 M. Parl. 1 Sec. 1.

- 3 Service and Sacraments.
- 4 Deeds and writings.
- 3 Limitation.
- 7 Fines.
- 8 Sheriff.
- 9 Physicians.
- 10 Courts.
- 14 Union, &c. of Churches.

1 M. Parl. 2.

- 1 Queen.
- 5 High-ways.
- 7 Drapery.
- 8 Cordwainers, &c.
- 11 Sewers.

1, 2 P. M.

- 4 Egyptians.
- 5 Visual, &c.
- 7 Towns.
- 8 Bishops.
- 10 Treason.
- 11 Treason.
- 12 Distress.
- 13 Mainprize.
- 14 Norwich.
- 15 Wales.

2, 3 P. M.

- 3 Calves.
- 7 Fairs and Markets.
- 8 High-ways.
- 9 Plays.
- 10 Mainprize.

- 11 Drapery.
- 12 Drapery.
- 13 Wool.
- 15 Universities.
- 16 Passage.
- 18 Justices of Peace.
- 20 Lancaster.

4, 5 P. M.

- 1 Patents.
- 3 Musters.
- 4 Clergy.
- 5 Drapery.
- 7 Furors.
- 8 Women, &c.

Statutes of 1 Eliz.

- 1 Crown.
- 2 Service and Sacraments.
- 3 Crown.
- 4 First-fruits.
- 11 Merchants.
- 12 Linen-cloth.
- 3 Ships.
- 15 Wood.
- 17 Fish, Fishers, &c.
- Not Printed, Leases.

5 Eliz.

- 1 Crown.
- 4 Labourers.
- 5 Ships.
- 7 Wears.
- 9 Perjury, Witnes.
- 10 Felony.
- 11 Treason.
- 12 Corn, &c.
- 13 High-ways, &c.
- 14 Forger of false Deeds.
- 15 Prophecies.
- 17 Felony.
- 18 Keeper of the Great Seal.
- 20 Egyptians.

The second Table.

- 21 Fish, Fishers, &c.
- 22 Cordwainers, &c.
- 23 Excommunicato capiendo.
- 24 Prison, &c.
- 25 Furor.
- 26 Informers.
- 27 Durham.
- 28 Service and Sacraments.

8 Eliz.

- 1 Process.
- 2 Ships.
- 4 Clergy.
- 5 Admiralty.
- 6 Drapery.
- 7 Drapery.
- 8 Horses.
- 9 Coopers.
- 14 Bows.
- 11 Hats and caps.
- 12 Drapery.
- 16 Sheriff.

13 Eliz.

- 2 Crown.
- 4 Debt to the King.
- 5 Fraudulent Conveyances.
- 6 Grants.
- 7 Bankrupts.
- 8 Usury.
- 9 Sewers.
- 10 Dilapidations, Leases.
- 11 Ships.
- 12 Spiritual Laws.
- 13 Corn, &c.
- 14 Bows.
- 15 Ships.
- 17 Hospitals.
- 18 Lee River.
- 20 Leases.
- 21 Ipswich, Universities.
- 22 Sheriff.
- 23 Paving.
- 25 Foresters, Poison, Wood.

14 Eliz.

- 3 Money.
- 7 Debt to the King.
- 8 Recoveries.
- 9 Furors.
- 10 Prison.
- 11 Dilapidations, Leases.
- 13 Felony, Hexamsire.
- Not Printed, Hospitals.

18 Eliz.

- 1 Treason.
- 2 Patents.
- 3 Bastardy.
- 5 Informers.
- 9 Leases.
- 7 Clergy.
- 8 Wales.
- 9 Cordwainers, &c.
- 10 High-ways.
- 11 Leases.
- 12 Nisi prius.
- 14 Jeoffail.
- 15 Gold, Silver, &c.
- 17 Bridges.
- 19 Paving.
- 20 Bridges.
- 21 Towns.
- 25 Hospitals.

23 Eliz.

- 1 Crown.
- 3 Error.
- 5 Wood.
- 8 Wax.
- 9 Drapery.
- 10 Pheasants and Partridges.
- 11 Bridges.
- 12 Paving.
- 13 Plumsted Marsh.

27 Eliz.

- 2 Crown.
- 3 Debt to the King.

The second Table.

- 4 *Fraudulent Conveyances.*
- 5 *Demurrers.*
- 6 *Furors.*
- 7 *Sheriff.*
- 8 *Error.*
- 9 *Wales.*
- 12 *Sheriff.*
- 13 *Robberies.*
- 17 *Drapery.*
- 18 *Drapery.*
- 19 *Wood.*
- 20 *Havens and Rivers.*
- 21 *Havens and Rivers.*
- 24 *Banks.*
- 25 *Bridges.*
- 27 *Plumstead-Marsh.*
- Not Printed, *Hospitals.*

29 Eliz.

- 1 *Treason.*
- 4 *Sheriff.*
- 5 *Informers.*
- 6 *Crown.*

31 Eliz.

- 1 *Error.*
- 2 *Fines.*
- 3 *Exigent and Uilawry.*
- 4 *Armour.*
- 5 *Actions popular.*
- 6 *Election.*
- 7 *Cottages and Inmates.*
- 8 *Gauging.*
- 9 *Durham.*
- 10 *Informers.*
- 11 *Forcible entry.*
- 22 *Fairs and Markets.*

35 Eliz.

- 1 *Crown.*
- 2 *Crown.*
- 3 *Patents.*
- 7 *Ships.*
- 8 *Cabels.*
- 9 *Drapery.*

- 10 *Drapery.*
- 11 *Clapboard.*

39 Eliz.

- 1 *Vagabonds.*
- 5 *Hospitals, &c.*
- 6 *Hospitals, &c.*
- 8 *Bishops.*
- 9 *Clergy.*
- 10 *Ships.*
- 11 *Drapery.*
- 13 *Fufians.*
- 14 *Drapery.*
- 15 *Clergy.*
- 16 *Mals.*
- 17 *Vagabonds.*
- 19 *High-ways.*
- 20 *Drapery.*
- 22 *Norwich.*
- 23 *Bridges.*
- 24 *Bridges.*
- 25 *Robberies.*

43 Eliz.

- 1 *Patents.*
- 2 *Poor people.*
- 3 *Captains, &c.*
- 4 *Hospitals.*
- 5 *Corpus cum causa.*
- 6 *Damages and costs, Sheriff.*
- 7 *Trespass.*
- 8 *Executors.*
- 9 *Leases, Ships.*
- 10 *Drapery.*
- 11 *Approvements.*
- 12 *Merchants.*
- 14 *Fuel.*
- 15 *Chester, &c.*
- 16 *Bridges.*

The second Table.

Statutes of 1 Jac.

- 1 Crown.
- 2 England and Scotland.
- 3 Bishops.
- 4 Crown.
- 5 Leet.
- 6 Labourers.
- 7 Vagabonds.
- 8 Clergy.
- 9 Ale-houses.
- 10 Justice and Right, &c.
- 11 Matrimony.
- 12 Conjurat[i]on, &c.
- 13 Execution.
- 14 Bankrupts.
- 15 Passage.
- 16 Hats and caps.
- 17 Hops.
- 18 Spice.
- 19 Painters.
- 20 Brokers.
- 21 Cordwainers, &c.
- 22 Ships.
- 23 Drapery, poor people.
- 24 Exchequer.
- 25 Pheasants and Partridges.
- 26 Berwick.
- 27 Plague.

3 Jac.

- 1 Service and Sacraments.
- 2 Crown.
- 3 Crown.
- 4 Merchants.
- 5 Attorney.
- 6 Execution.
- 7 Merchants.
- 8 Prison.
- 9 Malt.
- 10 Fish, Fishers, &c.
- 11 Hunters and hunting.
- 12 Sewers.
- 13 Debt.

- 16 Drapery.
- 17 Drapery.
- 18 Havens and Rivers.
- 21 Players.
- 22 Paving.
- 23 Bridges.
- 24 Bridges.

4 Jac.

- 1 England and Scotland.
- 2 Drapery.
- 3 Damages, and costs.
- 4 Ale-houses.
- 5 Ale-houses.
- 6 Cordwainers, &c.
- 8 Marshes and Fens.
- 9 Merchants.
- 10 Southampton.
- 11 Husbandry.
- 12 Havens and Rivers.
- 13 Marshes and Fens.

7 Jac.

- 1 England and Scotland.
- 2 Crown.
- 3 Poor people.
- 4 Bastardy, Vagabonds.
- 5 Evidence.
- 6 Crown.
- 7 Drapery.
- 8 Calves.
- 9 Chelsey.
- 10 Ale-houses.
- 11 Pheasants and Partridges.
- 12 Debt.
- 13 Hunters and hunting.
- 14 Horners.
- 15 Debt to the King.
- 16 Husbandry.
- 18 Drapery.
- 20 Marshes and Fens.
- 21 Copibolds.

The second Table.

21 Jac.

- 2 Limitation.
- 3 Monopolies.
- 4 Actions popular.
- 5 Sherfff.
- 6 Clergy.
- 7 Ale-houses.
- 8 Corpus cum causa, &c.
- 12 Evidence.
- 13 Jeoffait.
- 14 Intrusion.
- 15 Forcible Entry.
- 16 Damages and costs, limitation, trespass.
- 17 Usury.
- 18 Drapery.
- 19 Bankrupts.
- 20 Swearing and cursing.
- 21 Victual, &c.
- 22 Butter.
- 23 Corpus cum causa.
- 24 Execution.
- 25 Patents.
- 26 Felony.
- 27 Bastardy.
- 28 Horses, &c.
- 29 Patents.
- 32 Passage.
- 35 Pardon.

16, 17 Car.

- 1 Parliament.
- 2 War.
- 3 War.
- 4 War.
- 5 War.
- 6 Days in bank.
- 7 Parliaments.
- 9 War.
- 10 Courts.
- 11 Crown.
- 13 War.
- 14 Taxes.
- 15 Courts.
- 16 Forests.
- 17 England and Scotland.
- 18 England and Scotland.
- 19 Clerk of the Market.
- 20 Knights.
- 21 Gun-powder.
- 24 Captives.
- 27 Ability.
- 30 Ireland.
- 33 Ireland.
- 34 Ireland.
- 35 Ireland.
- 37 Ireland.

Statutes of 12 Car.

Statutes of 1 Car.

- 1 Holy-days.
- 2 Patents.
- 3 Alienation without licence.
- 4 Ale-houses.

3 Car.

- 1 Holy-days.
- 2 Crown.
- 3 Ale-houses.
- 4 Bastardy, Corn, Poor people.

- 1 Parliament.
- 3 Discontinuance of process. Process.
- 4 Customs, Merchandize.
- 11 Pardon.
- 12 Confirmation.
- 13 Usury.
- 14 Holy-days and Fasting-days.
- 16 Captains and soldiers.
- 17 Ministers.
- 18 Ships and shipping.
- 19 Customs.
- 22 Drapery.
- 23 Excise.
- 24 Tenures.
- 25 Wines.

The second Table.

Attainder, holy-days, and fast-
ing-days.
Wool.
Matrimony and Marriage.
Tobacco.
Post-Office.

13 Car. 2.

Treason, King, Parliament.
Accounts.
Taxes, &c.
Petition.
Militia.
Purveyors.

Ships, and shipping.
Hunters and hunting.
Crown.
Accounts.
Pains and penalties.

13 Car. 2. Second Sess.

Corporations.
Mainprize and bail, Prison and
prisoners, Process, Execution,
Damages and costs.
Cornwall.

13 & 14 Car. 2.

Nonconformists.
High-ways.
Militia.
Service and Sacraments.
Worsted.
High-ways.
Cordwainers, Curriers and Tanners.
Captains and soldiers.
Hearth-money.
Customs.
Poor people.
Merchants and Merchandize.
Accounts.
Silk and Silk-throwing.
Accounts.
Collectors.
Felony.

Merchants and Merchandize.
Purveyors.
Sheriffs.
Robbery.
Merchants and Merchandize.
Bankrupts.
Recesses.
Butter and cheese.
Havens.
Fish, and Fishers.
Attainder.
Money.
Drapery.
Books.

15 Car. 2.

High-ways.
Wood.
Militia.
Vestry-men.
Service and Sacraments.
Trade.
Butchers.
Excise.
Excise.
Hearth-money.
Post-Office, Wines.
Linen-cloth.
Fish, and Fishing.
Marshes and Fens.

16 Car. 2.

Parliament.
Error.
Hearth-money.
Conventicles.
Sea and seamen.
Plays and Games.

16 & 17 Car. 2.

Coals.
Furors.
Excise.
Recognizance, &c.
Accounts.

The second Table

- 8 Jeoffail, Execution.
- 9 Affidavits.
- 10 High-ways.
- 11 Marshes and Fens.
- 12 Havens, &c.

17 Car. 2.

- 2 Nonconformists.
- 3 Union and severing of Churches.
- 5 Attainder.
- 6 Damage clear.
- 7 Avowry.
- 8 Error. XIX.

18 Car. 2.

- 2 Calves and other Cattel.
- 3 Robbery.
- 4 Burials.
- 5 Money.

19 Car. 2.

- 2 London.
- 3 London.
- 4 Prison and prisoners.
- 5 Avowry.
- 6 Estates for lives.
- 7 Sea and seamen.
- 9 Accounts.
- 11 Prize-ships.
- 12 Exchequer.
- 13 England and Scotland.

20 Car. 2.

- 1 Customs.
- 2 Collectors.
- 3 Wood.
- 4 Error.
- 5 Cordwainers and Carriers.
- 6 Silk throwing.
- 7 Calves and other cattel.
- 8 Marshes and Fens.

22 Car. 2.

- 1 Convencicles.
- 2 Havens, &c.
- 4 Excise.
- 5 Clergy.
- 6 Fee-farm-rents.
- 7 Cornwall.
- 8 Weights and Measures.
- 9 England and Scotland.
- 11 London.
- 12 High-ways.
- 13 Trade, Calves and other cattel.

22 & 23 Car. 2.

- 1 Felony.
- 2 Recognizance, &c.
- 4 Jeoffail, Execution.
- 5 Excise.
- 6 Wines.
- 7 Felony.
- 8 Drapery.
- 9 Taxes, &c. Damages and costs.
- 10 Administrators.
- 11 Ships and shipping.
- 12 Weights and Measures.
- 13 Beer, Ale and Mum.
- 14 London.
- 15 London.
- 16 Poor people.
- 17 London.
- 18 Poor people.
- 19 Calves, &c.
- 20 Prison and Prisoners.
- 21 Accounts.
- 22 Fines, Amerciaments, &c.
- 23 Sea and seamen.
- 24 Fee-farm-rents.
- 25 Hunters and hunting.
- 26 Tobacco.

25 Car. 2.

- 2 Officers.
- 3 Cornwall.
- 4 Calves and cattel.

The second Table.

5 Pardon.
6 Aliens.
7 Trade.
8 Money.
9 Durham.

27 Car. 2.

Northampton.

29 Car. 2.

Excise.
Frauds, &c.
Southwark.
Affidavit.
Aliens.
Holy-days and Fasting-days.
Parson, Parsonage, and Vicarage.
Heresick.
Yarmouth.

29 & 30 Car. 2.

Taxes.

2 Robbery.

30 Car. 2.

2 Customs.
3 Burials.
4 Prison and prisoners.
5 High-ways.
6 Administrators, Error.
7 Executors.
8 Newcastle.
9 Severn.

30 Car. 2.

Parliaments.

31 Car. 2.

1 Taxes, &c.
2 Habeas Corpus.
3 Fines.

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Those

Those *Statutes* which *Manly* has Printed,
but are omitted in this *Abridgment*,
are as followeth.

Stat. 13. Car. 2. cap. 2. An Act for the declaring vesting and settling of all such moneys, goods and other things in his Majesty, which are received, levied, or collected in the late times, and are remaining in the hands or possession of any Treasurers, Receivers, Collectors, or others not pardoned by the Act of Oblivion *Cap. 8. Expired.*

Cap. 13. An Act for the vesting the arrears of Excise and new impost in his Majesty.

Cap. 15. An Act declaring the pains, penalties and forfeitures imposed upon the Estates and persons of certain notorious Offenders Excepted out of the Act of Free and general Pardon, Indemnity, and Oblivion.

Stat. 13 & 14. Car. 2. cap. 14. An Act directing the Prosecution of such as are accountable for Prize-Goods.

Cap. 16. An Act for the more speedy and effectual bringing those persons to account, whose accounts are excepted in the Act of Oblivion.

Cap. 27. An Act for repairing Dover Harbour.

Cap. 29. An Act for the reverting of the Earl of Strafford his Attainder.

Stat. 15. Car. 2. cap. 1. An Act for repairing the High-ways within the Counties of Hertford, Cambridge and Huntingdon.

Stat. 16 Car. 2. cap. 4. An Act to prevent and suppress Seditious Conventicles. *Exp.*

Cap. 5. An Act to prevent the disturbances of Seamen and others, and to preserve the Stores belonging to his Majesty's Navy Royal. *Expired.*

August 28 1688

R. H. W. C.

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